

City of Oswego Local Waterfront Revitalization Program

Adopted:

City of Oswego Common Council, April 28, 1986

Approved:

NYS Secretary of State Gail S. Shaffer, September 8, 1986

Concurred:

U.S. Office of Ocean and Coastal Resource Management, December 16, 1986

City of Oswego
Local Waterfront Revitalization Program

HT177.089C58 1986

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This Local Waterfront Revitalization Program has been adopted and approved in accordance with the provisions of the Waterfront Revitalization and Coastal Resources Act of 1981 (Executive Law, Article 42) and its implementing regulations (6 NYCRR 601). Federal concurrence on the incorporation of this Local Waterfront Revitalization Program into the New York State Coastal Management Program as a Routine Program Implementation has been obtained in accordance with the provisions of the U.S. Coastal Zone Management Act of 1972 (P.L. 92-583), as amended, and its implementing regulations (15 CFR 923).

The preparation of this program was financially aided by a federal grant from the U.S. Department of Commerce, National Oceanic and Atmospheric Administration, Office of Ocean and Coastal Resource Management under the Coastal Zone Management Act of 1972, as amended. Federal Grant No. NA-82-AA-D-CZ068.

The New York Coastal Management Program and the preparation of Local Waterfront Revitalization Programs are administered by the New York State Department of State, 162 Washington Avenue, Albany, New York 12231.



STATE OF NEW YORK
DEPARTMENT OF STATE
ALBANY, N.Y. 12231

GAIL S. SHAFFER
SECRETARY OF STATE

September 8, 1986

Honorable William S. Cahill, Jr.
Mayor
City of Oswego
City Hall
Oswego, New York 13126

Dear Mayor Cahill:

It is with great pleasure that I inform you that, pursuant to the Waterfront Revitalization and Coastal Resources Act, I have approved the City of Oswego's Local Waterfront Revitalization Program (LWRP). The City is to be commended for its thoughtful and energetic response to opportunities presented along its waterfront.

I will notify State agencies shortly that I have approved the City's LWRP and will provide them a list of their activities which must be undertaken in a manner consistent to the maximum extent practicable with the Oswego LWRP.

During our reading of the local laws which the City Council recently adopted to aid in implementing the City's LWRP, our Division of Legal Services observed minor technical deficiencies. These are described on an attachment to this letter. In order to assure there will be adequate authority to implement the LWRP, I am approving this LWRP with the condition that the City will correct these deficiencies. The Department of State legal staff and coastal management program staff will provide whatever assistance you request in this matter.

Again, I would like to commend the City of Oswego on its efforts to develop the LWRP and look forward to working with you in the years to come as you endeavor to revitalize your waterfront.

Sincerely,

A handwritten signature in black ink, appearing to read "Gail", with a large, stylized flourish extending from the end of the signature.

Gail S. Shaffer

GSS:lc



STATE OF NEW YORK
DEPARTMENT OF STATE

GAIL S. SHAFFER
SECRETARY OF STATE

REPLY TO

☐ 162 WASHINGTON AVENUE
ALBANY, NY 12231
(518) 474-4750

☐ 270 BROADWAY
NEW YORK CITY, NY 10007
(212) 587-5800

February 19, 1987

Honorable William S. Cahill, Jr.
Mayor
City of Oswego
City Hall
Oswego, New York 13126

Dear Mayor Cahill:

On September 8, 1986 when I approved the Oswego Local Waterfront Revitalization Program (LWRP), I did so with the condition that the City correct some minor technical deficiencies in the local law amendments that the City Council adopted in April, 1986 in order to implement the City's LWRP. Mr. Anthony Leotta, Oswego City Engineer, recently sent us a certified copy of City Council Resolution No. 7 of 1987, making the necessary amendments to the Oswego Zoning Ordinance. We find that the technical deficiencies are corrected; therefore the condition is hereby removed.

Again, I commend the City of Oswego on its efforts to develop the LWRP and look forward to working with you as endeavor to vitalize your waterfront.

Sincerely,

Gail S. Shaffer

GSS:lc



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT
Washington, D.C. 20235

December 16, 1986

Mr. George Stafford
Director
Division of Coastal Resources
and Waterfront Revitalization
Department of State
162 Washington Street
Albany, New York 12231

DEPARTMENT OF STATE
COASTAL PROGRAMS

JAN 06 1987

RECEIVED

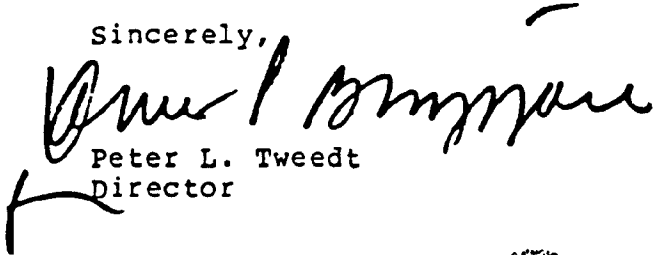
Dear Mr. Stafford:

The Office of Ocean and Coastal Resource Management has completed its review of your request to incorporate the City of Oswego Local Waterfront Revitalization Program (LWRP) into the New York State Coastal Management Program (NYS CMP). We have received the adopted program which has been approved by the New York Secretary of State. We received comments from 5 Federal agencies, none of which objected to adopting the LWRP as a routine program implementation change.

You and my staff have discussed the problem of the need to clearly identify in the LWRP which of the 44 coastal policies listed in the NYS CMP apply to the LWRP area. The current use of "not included" is very confusing to the users of these programs. Because there is evidence in the documents, however obscure, that policies labeled "not included" do apply, we concur with your request that the Oswego LWRP be considered as a routine program implementation. However, we expect the State to remedy the problem of clearly identifying which policies apply by eliminating the term "not included" as soon as possible.

In accordance with the Coastal Management Regulations, 15 CFR 923.84, Federal Consistency will apply to the City of Oswego LWRP after you publish notice of our approval.

Sincerely,


Peter L. Tweedt
Director





OFFICE OF THE MAYOR
WILLIAM S. CAHILL, JR.

City of OSWEGO

New York 13126

R

JUN - 6 1986

(315) 342-5600 Ext. 48

DEPARTMENT OF STATE

May 29, 1986

Honorable Gail Shaffer
Secretary of State
New York State Department of State
162 Washington Avenue
Albany, New York 12231

Dear Secretary Shaffer:

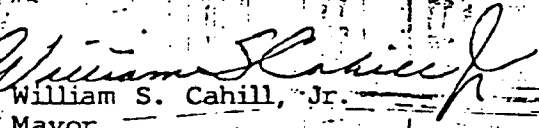
On April 28, 1986, the Oswego Local Waterfront Revitalization Program was officially adopted by the Oswego Common Council. Three copies of the LWRP are hereby submitted for your consideration and approval, pursuant to Article 42 of the New York State Executive Law.

Also enclosed are certified copies of the resolution adopting the Program, the local consistency law, and amendments to the zoning ordinance.

During the preparation of the Oswego LWRP, all review procedures were completed in accordance with the State Environmental Quality Review Act, and all SEQRA review comments comply with Article 42 of the New York State Executive Law.

Sincerely,

CITY OF OSWEGO


William S. Cahill, Jr.
Mayor

WSC/r

Enclosures

OSWEGO: Growing with America for over Two Hundred Years

CITY OF OSWEGO, NEW YORK

Motions, Resolutions and NoticesBy Alderman Bradshaw

WHEREAS, the City of Oswego entered into a contract with the New York State Department of State, dated 1 May 1983, for the preparation of a Local Waterfront revitalization program, and

WHEREAS, A draft Local Waterfront Revitalization Program was prepared under said contract with the guidance of the Waterfront Revitalization Program Advisory Committee and the assistance of the Central New York Regional Planning and Development Board, and

WHEREAS, a Draft Environmental Impact Statement was prepared for the Local Waterfront Revitalization Program in accordance with the requirements of Part 617 of the implementing regulations of Article 8 of the Environmental Conservation Law, and

WHEREAS, a Final Environmental Impact Statement has been prepared, following a public comment period, and circulated to all commenting parties with no further comments received,

NOW THEREFORE BE IT RESOLVED, by the Mayor and Common Council of the City of Oswego, New York, that the Local Waterfront Revitalization Program for the City of Oswego dated February 1986 is hereby approved and accepted.

AYES AND NAYS CALLED:

	AYES	NAYS
Alderman Mercier	(✓) 3013	() 3013
Alderman Bradshaw	(✓) 1244	() 1244
Alderman Canale	(✓) 3202	() 3202
Alderman Clavelli	(✓) 1878	() 1878
Alderman Halpin	(✓) 2448	() 2448
Alderman Maston	(✓) 2512	() 2512
Alderman Gardner	(✓) 2248	() 2248
Alderman Johnson	(✓) 3248	() 3248
TOTAL	() 19,793	()

Adopted

Lost

Approved April 29 198 6Recommended by Planning & Development
CommitteeChairman Alderman Halpin

I certify that the foregoing resolution was duly passed by
the Common Council on the 28th
day of April 1986

Bruce E. Manwaring City Clerk
BRUCE E. MANWARING
William S. Cahill, Jr. Mayor
WILLIAM S. CAHILL, JR.

Resolution prepared by C.D.A.

PAGE NO. _____

SECTION I

DEFINITION OF WATERFRONT REVITALIZATION AREA BOUNDARY

SECTION I

DEFINITION OF WATERFRONT REVITALIZATION AREA BOUNDARY

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CITY OF OSWEGO CORPORATE LIMITS

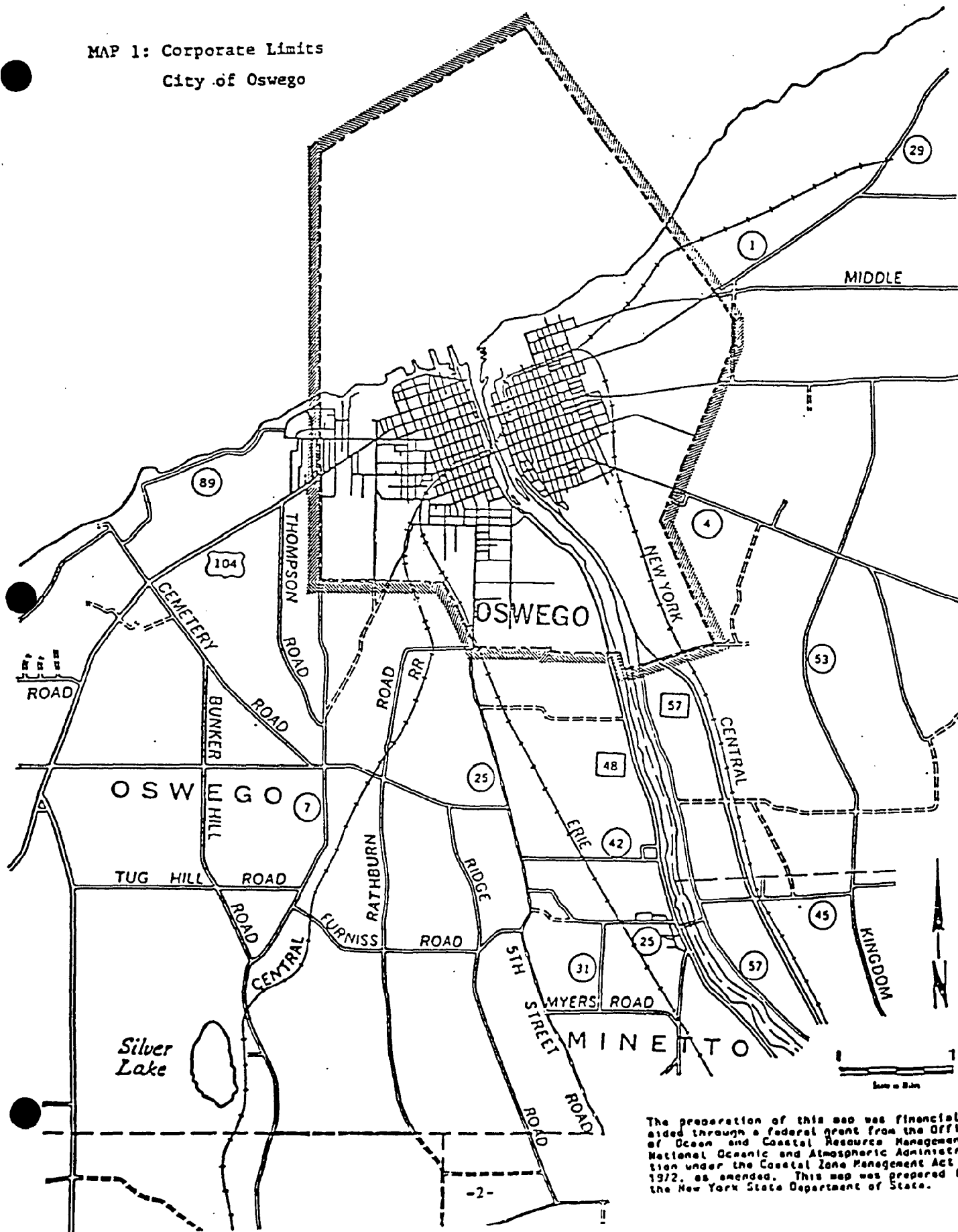
The City of Oswego is located at the mouth of the Oswego River on Lake Ontario. The corporate limits of the City, including an area which extends for one mile north into Lake Ontario as provided by the City Charter, are shown on Map 1.

DESCRIPTION OF THE EXISTING BOUNDARY

Map 2 shows the existing boundary of the Oswego Waterfront Revitalization Area.

Beginning at the City line on the West side of Oswego, the existing Waterfront Revitalization Area boundary extends east on George Washington Boulevard to First Avenue; north on First to West Schuyler Street; east on West Schuyler to Liberty Street; north on Liberty to West Van Buren Street; east on West Van Buren to West Second Street; south on West Second to the boundary line of the Business Zone at the intersection of West Second Street and Erie Street; south along the Business Zone boundary to West First Street; south along West First to the hydroelectric dam; east across the river on the dam to East First Street; north on East First to East Albany Street; east on East Albany approximately one-half block to the boundary of the Business Zone; along the Business Zone boundary to the Penn Central tracks; north along the railroad tracks to East Seneca Street; and East on East Seneca to the Oswego City Line. The waterside boundary is formed by extending the City's eastern and western boundary lines, respectively, in a northern direction one mile into Lake Ontario and connecting these two lines with a third line running approximately parallel to the City's Lake Ontario shoreline. This boundary is established in the City of Oswego's Charter.

MAP 1: Corporate Limits
City of Oswego

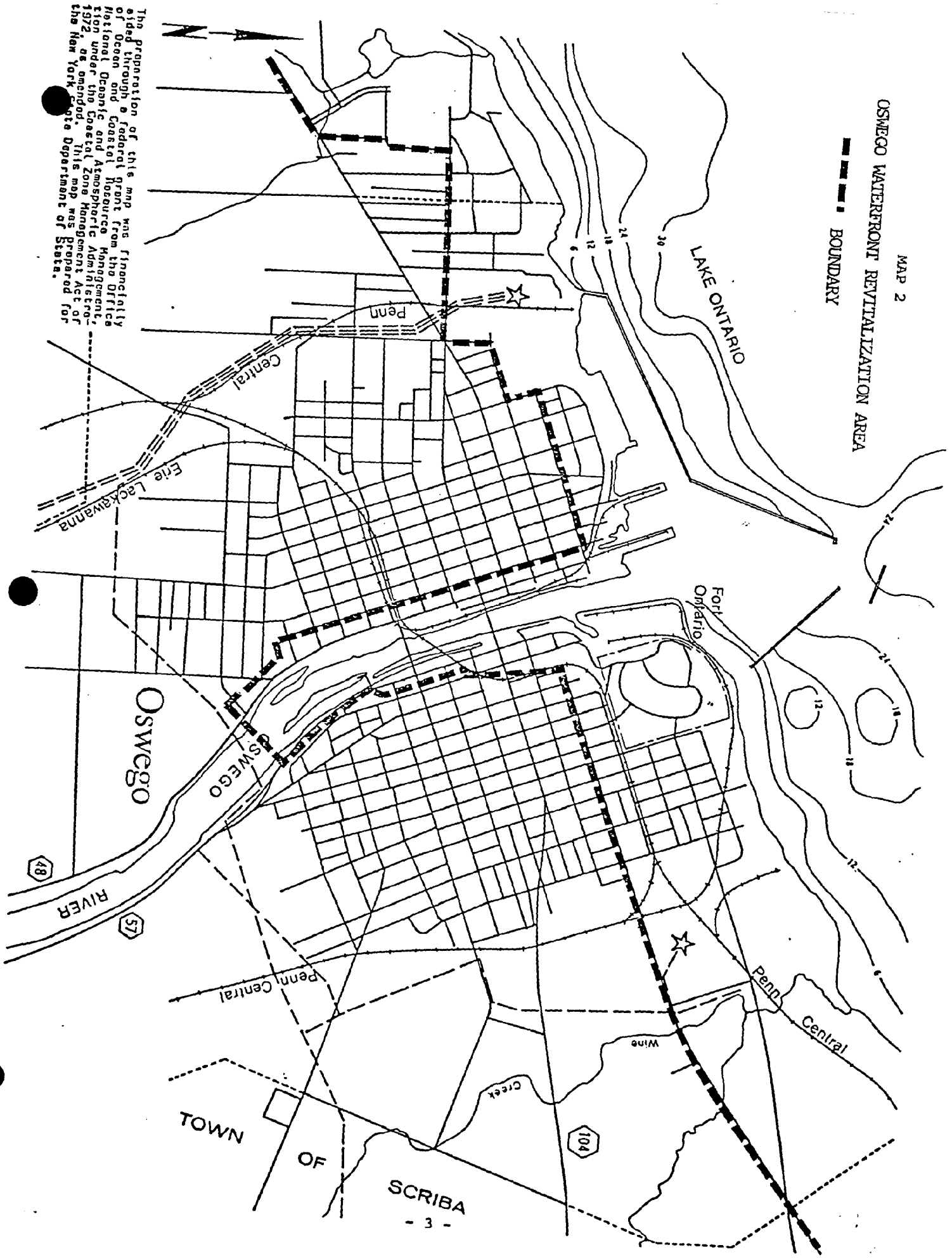


The preparation of this map was financially aided through a federal grant from the Office of Ocean and Coastal Resource Management, National Oceanic and Atmospheric Administration under the Coastal Zone Management Act of 1972, as amended. This map was prepared for the New York State Department of State.

OSWEGO WATERFRONT REVITALIZATION AREA

MAP 2

--- BOUNDARY



The preparation of this map was financially aided through a Federal grant from the Office of Ocean and Coastal Resource Management, National Oceanic and Atmospheric Administration under the Coastal Zone Management Act of 1972, as amended. This map was prepared for the New York State Department of State.

SECTION II

INVENTORY AND ANALYSIS

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INVENTORY AND ANALYSIS

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OVERALL INVENTORY AND ANALYSIS

Historic Overview of the Oswego Waterfront

Approximately 400 years ago, the Iroquois Indians moved from the area around Montreal and established a village at the mouth of the Oswego River where the river flows into Lake Ontario forming a natural harbor. At this point, trading activity was established; first, with other Indian tribes and later, with a succession of French, Dutch, British, and American traders. Oswego's advantage as a natural harbor was soon widely recognized and, by the 18th Century, over 200 Indian canoes loaded with pelts traded annually at Oswego.

In 1755, the British gained control of Oswego. Fortifications were erected and the construction of naval vessels dominated the waterfront as British military attention shifted to the Americans. Trading activity all but ceased during the Revolutionary War as American vessels were allowed only limited use of the port.

In 1779, Oswego was designated by the U.S. Congress as the first "official port of entry" in the United States west of the Atlantic Seaboard. A substantial trade in Onondaga salt was soon established as well as large-scale commercial shipbuilding which reached a peak in 1847 when 26 ships were built and launched at the Port of Oswego.

The opening of the Erie Canal in 1825 had an adverse economic impact on Oswego through the diversion of trade to Buffalo and Rochester but this situation was remedied in 1829 by the opening of the Oswego Canal which connected with the Erie Canal. The Oswego Canal greatly stimulated the salt trade which reached a value of over \$18 million in 1848. Within 25 years, however, the salt trade ended in Oswego as a result of new salt deposit discoveries in Canada, Michigan, and West Virginia.

As trade in salt declined, the importation of lumber from Canada grew in importance as an economic activity of the Port. Lumber was transhipped to canal boats for further shipment or was processed at lumber mills in Oswego prior to shipment. In addition to the lumber trade, a substantial grain milling industry was established with grain shipped to Europe and the Eastern United States. As a milling center, Oswego ranked in importance with such cities as Baltimore and St. Louis.

After 1870, Oswego's importance as a port gradually declined as Onondaga salt shipments were discontinued altogether, Canadian forests were clear-cut, and milling activity moved west to be closer to the grain fields. Coal trade provided a sustaining factor in maintaining some activity at the port during this period and, with the opening of the Welland Canal in 1931, a gradual return to a more active port was made possible. Even though a return to past high levels of activity was somewhat diminished with the introduction of extremely large ocean-going ships which require large quantities for shipment in order to justify calling at a port, commercial acti-

vity at the port has generally grown steadily, subject to national economic fluctuations. Recent trade activity has included such products as petroleum, cement, grain, aluminum, potash, twine, tomato paste, machine parts, salt, and fly ash.

Description of the Waterfront Revitalization Area

The City of Oswego is divided in half along a north-south axis by the Oswego River, with a waterfront along the riverbanks as well as the Lake Ontario shoreline. This physical division has created strong East Side-West Side associations with the banks of the River being main points of reference for orientation.

Traveling in an easterly direction from the City's western boundary, the following alignment of land uses can be found:

- o State University of New York Oswego Campus;
- o Niagara Mohawk Corporation power plant;
- o Metropolitan Water Board water system intake and plant;
- o Breitbeck Park and Wright's Landing recreation areas;
- o Erie-Lackawanna coal dock;
- o U.S. Coast Guard Station;
- o Oswego Maritime Foundation Boating Education Center;
- o Port of Oswego cement silos, oil storage tanks, and bulk storage warehouse; and
- o White Maritime Museum.

Rounding the mouth of the Oswego River and traveling southeast, the following uses are found:

- o mixed use area including commercial properties (some with historic value) and a senior citizen's housing complex;
- o Bridge Street-West First Street commercial area and parking facilities;
- o Utica Street-West First Street commercial area interspersed with vacant/underutilized properties; and
- o hydroelectric dam.

Across the river, traveling west from the eastern boundary of the City, the following uses are found:

- o large tract of sparsely developed industrial land;
- o Hammermill Paper Company;
- o City Sewage Treatment Plant;
- o abandoned industrial building;
- o Fort Ontario Park, a State historic site;
- o a large residential neighborhood south of the abandoned industrial building and the Fort.

Continuing up river in a southeasterly direction, the following uses are

found:

- o Port of Oswego piers, warehouses, and administrative offices;
- o Oswego Marina;
- o NYS Department of Transportation property bordered by vacant/underutilized properties;
- o Bridge Street and East First Street commercial and office building area as well as the Harbor House Hotel; and
- o general commercial/industrial mixed-use area with vacant/underutilized properties extending along the riverbank to the hydroelectric dam.

Also located on the East Bank near the dam are locks for the Barge Canal System.

This list of land uses demonstrates the variety of waterfront activities within the City. It should be noted as well that, outside the City's jurisdiction, many initiatives have been taken to expand coastal activities that enhance the City's waterfront, including the State's fish stocking program, several boat launching ramps, and the Seaway Trail. When looking, therefore, at the Oswego waterfront, one is struck by the many resources and opportunities that are at hand.

Oswego Waterfront Resources and Opportunities

Unfortunately, perhaps, for today's visitor, many of the mills, docks, and other structures which for so long dominated the Oswego waterfront have been removed. Foundation walls can still be discovered, however, as a reminder of the past and several structures associated with the maritime trade still exist to provide the flavor of an active commercial port. Ironically, the earlier removal of many old structures now provides Oswego with resources and opportunities which would otherwise not have been available. These vacant and underutilized sites on or near the waterfront provide the City of Oswego with what may well be its most important single resource for stimulating development. Through the LWRP, the use of these sites will maintain and enhance the water resources, including the fish habitat and drinking water source of Lake Ontario. The lack of unique vegetative cover and the predominantly urban type of soil avoid developmental limitations that might otherwise exist on the use of the resources and opportunities available.

The identification of these resources comes at an opportune time; at a point in time when there is extensive interest in redeveloping urban waterfronts in New York State and along the Atlantic Seaboard. The desire to provide greater visual amenities, recreational opportunities and tourist attractions in the nation's waterfront areas has struck a responsive chord in Oswego, where attention is being focused on developing a mixed-use waterfront. The term mixed-use occurs frequently in discussing the Oswego waterfront and perhaps needs some clarification. Mixed-use refers to the variety of activities located in close proximity to each other. For

example, a given block might be home to a warehouse, professional offices, a parking garage, an hotel, several retail stores, a boat and fishing gear rental shop, houses, and an apartment building. This mixture is historically characteristic of the Oswego waterfront and provides vitality, excitement and interest in the downtown section of the City. Mixed-use development contrasts with areas where uses are separated from each other, resulting in areas characterized by one type of activity, such as housing or retail stores.

As a part of the Oswego Local Waterfront Revitalization Program (LWRP), an inventory of vacant or underutilized sites, or "opportunity sites", has been prepared. These sites are discussed in more detail in Part 2 of this section of the report. By bringing these opportunity sites into greater productive use, it is the City's intention to develop a combination of water-dependent or water-enhanced industrial, commercial, and recreational activities which will provide employment opportunities and other economic benefits as well as public access for recreation and tourism. Several major opportunities are being considered for utilizing the land and water resources available and the Oswego LWRP provides the City with a programmatic vehicle for focusing on its waterfront resources and planning for redevelopment.

A brief description of the Oswego waterfront should start by pointing out that one of the basic characteristics noticed by the visitor to Oswego is that the City is divided in half by the Oswego River. The banks on either side are channelized, so that the pedestrian is generally two to four feet above the water at the River's edge. On the Lake Ontario shoreline, there are areas where immediate contact with the water is possible. This physical division of the City has created strong East Side and West Side associations with the East and West Banks of the River being main points of reference for orientation.

On the far West Side, the campus of the State University at Oswego straddles the City's boundary with the Town of Oswego. The campus is next to the Niagara Mohawk Power Corporation's electric generating plant, whose chimneys serve as a point of reference for aviators, mariners, and motorists for miles around. Next to the power station is the water plant which draws water from Lake Ontario for distribution to a substantial portion of Central New York.

Next is Breitbeck Park and Wright's Landing, an extensive land and water recreation area which the City is expanding as federal funds are made available. Recent additions include boat launches, docking facilities, and a parking area. Immediately inland from Breitbeck Park and Wright's Landing, the land rises steeply to a residential area which offers interesting views of Lake Ontario.

East of Wright's Landing is the former Erie Lackawanna Coal Pier, one of two docks which extend into Oswego Harbor. The pier is only partially in use and is in need of substantial improvement to sustain more intensive use. A short, stony beach is east of the coal pier, followed by the Coast

Guard Station and a former sloop dry dock now in use by the Oswego Maritime Foundation as a Boating Education Center.

The most industrial portion of the waterfront, at least in appearance, constitutes the remainder of the Lake shoreline on the West Side. In this area, several large cement silos, oil storage tanks, and bulk storage warehouses are located. Among these industrial structures is the recently opened White Maritime Museum which contains exhibits of Oswego maritime history and life of seafarers on Lake Ontario.

Rounding the mouth of the Oswego River, the land slopes more gently from the river shore inland. Along the shore itself there are some historically significant structures, including Cahill's Fish Market and the Market House. An apartment building for senior citizens is a recent addition; a stormwater retention facility will also be built in this area and plans are underway for development of the West Side Linear Park which would extend approximately one mile along the West Bank.

The next landmark is the bridge over the Oswego River at Bridge Street, one of two bridge crossings in the City of Oswego. The Bridge Street area constitutes a major retail shopping center, including parking facilities. Extensive work has been undertaken, especially along West First Street, to rehabilitate the central business district through refurbishing of storefronts, improvements in vehicle circulation, parking and sidewalks, and street furniture and planting improvements. As a result of this work, the entire area is quite attractive and is enhanced by the restoration of such buildings as City Hall and the Pontiac Hotel, the latter now a senior citizen apartment building.

From the area around the Utica Street Bridge to the hydroelectric dam about one mile upstream, the mixture of land use activities is such that it is difficult to characterize the area. Commercial and retail activity is interspersed with vacant or underutilized sites. The City's plans for the West Side Linear Park will no doubt serve as a major impetus for change in this area, especially given the substantial amount of area available for redevelopment close to the river.

Across the river, starting at the City's eastern boundary with the Town of Scriba and moving along the Lake Ontario shore, there is a substantial amount of land available for development which is zoned for industrial use. Some of the land is already in active use, such as the Hammermill Paper Company, but there is also an extensive residential area separated from the lake by non-residential uses, principally the Fitzgibbons Building and Fort Ontario Park.

This northeastern sector of the City is not easily characterized due to the widely varying mixture of developed sites and vacant areas. One important exception is the well developed residential area in the vicinity of Fort Ontario. For the remainder, the City's zoning map classifies the northeastern section as an Industrial District. Despite this zoning, there are other non-industrial uses, including residential, commercial, a

cemetery, and vacant land. In some respects, therefore, an ambiguous development potential exists which probably will be resolved only when the development process begins to establish a clearer pattern of activity.

A prominent example of this ambiguous development potential is the Fitzgibbons plant (Opportunity Site #13), a vacant industrial building zoned for industrial use which has been available for reuse for many years. The site itself is over 10 acres and contains built floor area of 300,000 square feet. The enormous structure is considered by many to have few if any reuse possibilities, but demolition and clearance of the structure is too expensive for local authorities. However, if a way could be found to clear the site, a potentially very desirable residential site, including a panoramic view of Lake Ontario, would become available.

With respect to the natural character of the northeastern section of the waterfront area, there are no critical impediments to more intensive development. However, natural resources that would be adversely affected by development will receive appropriate protection through the City's waterfront development process.

Along the coast there are bluff areas and bedrock outcroppings of local geologic/topographic interest, a small private "beach" area, and habitats for wildlife characteristic of the area, particularly in the cemetery area. The use of the beach has been made undesirable due to drainage from a Pollution Abatement Service landfill containing hazardous materials. These have reportedly leached into Wine Creek, which empties at the "beach". Plans for hazardous waste cleanup will hopefully restore the area to full use in the future. More details are provided in the section on Natural Resources Inventory that follows.

Reference to "forest" areas in Figure 3 could perhaps more clearly be characterized as vacant land whose ground cover, having passed through various vegetative stages, has now reached the tree growth characteristic of areas where other productive uses are no longer pursued.

The area shown in Figure 3 as "public and semi-public institutional" reflects the previously mentioned cemetery.

Continuing in a westerly direction, the Port of Oswego Authority has its offices and some major facilities located at the mouth of the Oswego River on the East Side below the heights on which Fort Ontario and the surrounding residential areas are located.

The piers and warehouses of the Port Authority extend for some distance up the river and include the Oswego Marina and a popular local restaurant on property leased by the Port Authority. Extending along the East Bank are New York State facilities and land under the administration of the Department of Transportation which are used for the NYS Barge Canal System. Along the river bank and at various locations inland, there are additional opportunities for development on sites now vacant or underutilized which could be used to provide a mixture of recreational, industrial and commer-

cial activities.

North and south of the Bridge Street Bridge are various commercial and office buildings and the Harbor House Hotel. Further southward, from the railroad bridge and the Utica Street Bridge to the Niagara Mohawk hydro-electric dam, is a succession of buildings and sites, some of which are partially or entirely vacant or underutilized. The character of the area changes from general industrial/commercial to residential at the edge of the East Side neighborhood. Also located on the East Bank are the locks for the Barge Canal System.

Major Waterfront Development Issues

From this brief description of the Oswego waterfront, it is apparent that a number of potential sites are available for inclusion in the listing of "opportunity sites" to be discussed in detail in the following section. These sites could be developed for a variety of water-dependent and water-enhanced activities. In doing so, however, there are four major development issues to be addressed, as follows:

1. Which sites present the greatest potential in terms of attractiveness to private developers by virtue of site size, configuration, and location and how can these opportunity sites be brought into more active use?
2. Which sites offer the most suitable areas for public access, recreation, and tourism and what types of activities would be most appropriate in these areas?
3. How best can the waterfront area be developed to achieve a compatible mixture of industrial, commercial, recreational or other uses, allow for active use of the water by commercial shipping interests and the Port Authority operations, and provide for pleasure boating and shoreline fishing?
4. What private and public funding sources can be utilized in order to implement development proposals?

INVENTORY OF OPPORTUNITY SITES

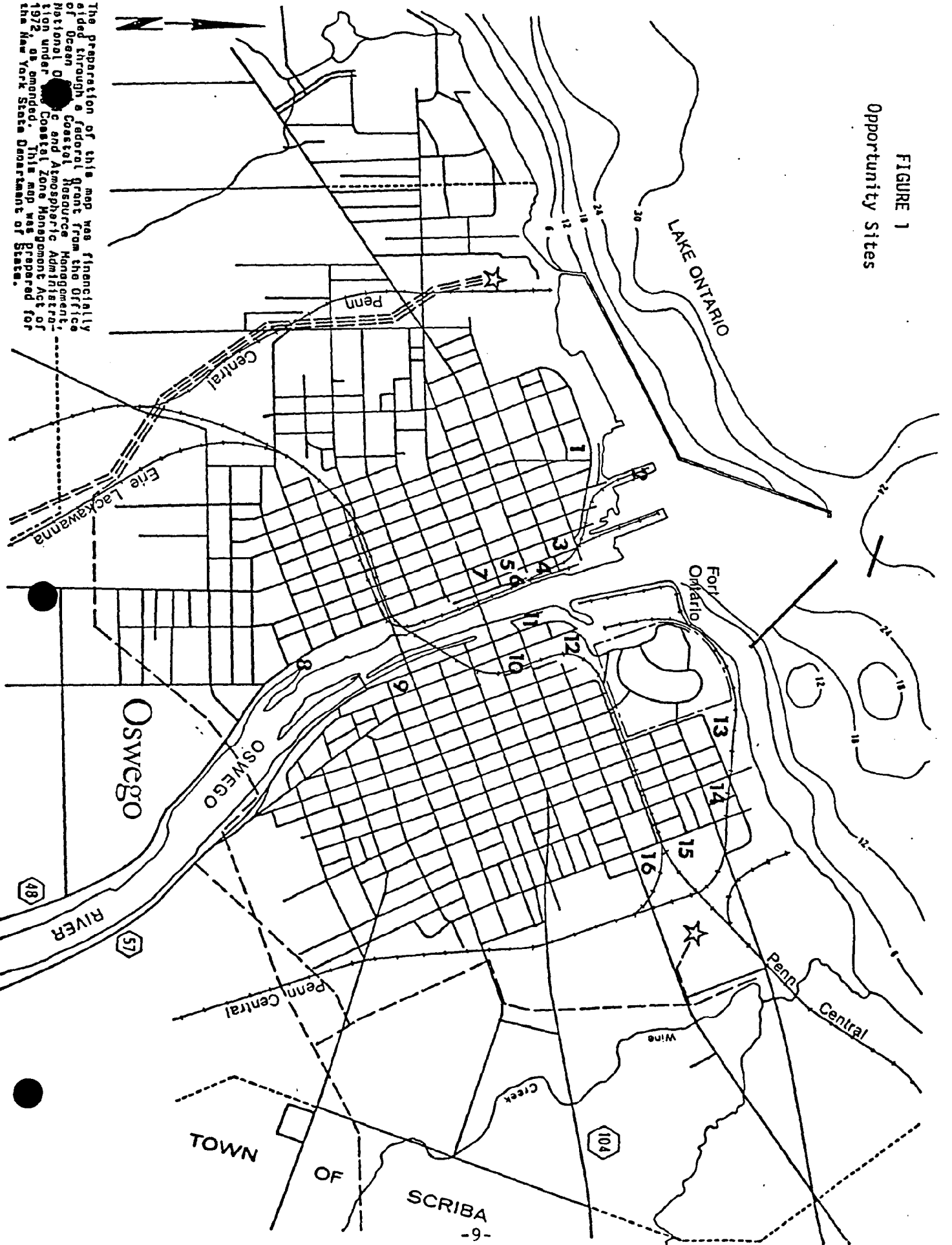
The Oswego waterfront area has a significant resource in the form of a substantial number of sites which are either vacant or could be redeveloped for more intensive use. In consultation with the City Engineer, the Community Development Director, and the Executive Assistant to the Mayor, potential sites were identified and submitted to the Waterfront Advisory Committee for review and approval. The list of approved sites which are presented on the accompanying map (see Figure 1), can accommodate a mixture of activities including commercial and industrial enterprises, recreation and tourist activities, retail stores and services, and housing. The development of these opportunity sites will have a significant impact on the visual quality of a more fully utilized waterfront and on the economic revitalization of the waterfront by stimulating new employment opportunities as well as additional sales and real estate tax revenues.

Accompanying the map of opportunity sites is a table which lists site characteristics of particular interest to potential developers (see Table 1). All of the opportunity sites have complete utility service and several have rail access. Three sites are adjacent to water and five sites are within approximately 300 feet of the shore.

Highway access is also good. On the West Side, State Route 48 (West First Street) joins Interstate Route 690, which, in turn, interchanges with the New York State Thruway (Interstate Route 90) northwest of Syracuse. On the East Side, East First Street becomes State Route 481 which connects with Interstate 81 and the New York State Thruway (Interstate 90) at Syracuse.

With respect to zoning, the opportunity sites are within one of six district categories: Neighborhood Business District (B-1); Central Business District (B-2); Redevelopment District (B-3); Industrial District (IN); Residential 3 District; or Residential 4 District. The uses allowed in each of the six districts are listed in Table 2.

FIGURE 1
Opportunity Sites



The preparation of this map was financially aided through a federal grant from the Office of Ocean Coastal Resource Management, National Oceanic and Atmospheric Administration under the Coastal Zone Management Act of 1972, as amended. This map was prepared for the New York State Department of State.

TABLE 1

OPPORTUNITY SITES

Site
No.

Site Characteristics

- #1 Lot Size: 42,161 square feet
Ownership: Private ownership
Utility Service: All utilities available
Access: Bronson Street
Zoning: Residential 4 District (R4)
Development Constraints and Opportunities: Within 300 feet of the lakeshore; potential housing site.

This hillside site, fronting on Bronson Street, is located in a well-maintained residential neighborhood that contains a mixture of single family homes, multiple dwellings, and large residential structures associated with SUNY Oswego. Until recently, the only existing building on the site was the burned out shell of a large fraternity house which has been razed and removed. The site itself is very attractive, enjoying a good view of the lake from the hillside location.

The most appropriate reuse for this site is for multiple dwellings or for other uses of a residential nature including nursing home and extended care facilities or rooming/boardng houses. Neighborhood medical facilities or similar quasi-institutional uses would also be appropriate. Existing zoning requirements would accomodate these types of uses.

- #2 Lot Size: 167,500 square feet
Ownership: Port of Oswego Authority
Utility Service: All utilities available
Access: Lake Street
Zoning: Industrial (IN)
Development Constraints and Opportunities: Site on water with adjacent landside parking.

This site, commonly referred to as the Coal Pier, has been identified in the Port of Oswego Development Study as an area suitable for recreational development. The pier has also been identified in the Uses and Projects section of this report as a potential site for additional boat docking facilities with accompanying parking and landscaping improvements. The pier area would also tie in well with a pedestrian connection to the northern terminus of the Riverbank Linear Park. These uses would be allowed under existing zoning and would complement the existing uses.

In order to advance the boat docking phase of development, an agreement must be reached with the Port of Oswego regarding long term use of the pier, engineering drawings must be prepared, and a funding source located. The pedestrian connection would then form the next logical link requiring negotiation of easements, dedication of publicly owned portions of the connecting way, design, and funding for construction.

TABLE 1 (cont'd)

Site
No.

Site Characteristics

- #3 Lot Size: 112,500 square feet
Building Area: 50,000 square feet
Ownership: Port of Oswego Authority
Utility Service: All utilities available
Access: W. First, W. Second, W. Van Buren, and Lake Streets
Zoning: Central Business District (B-2)
Development Constraints and Opportunities: Lease or purchase is negotiable; close proximity (300 feet) to water.

This full block site now contains a very large building once used as a manufacturing facility. Current use of the site by Oswego Paper Converters is limited to the north end of the building; use of the remainder of the old factory is limited by the deteriorated condition of the building and there is some doubt as to whether renovation would be economically feasible. Following completion of the Port Development Study, it would be appropriate to ask the Port Authority to determine what the future of the existing building is to be and to investigate the feasibility of renovation, as opposed to demolition and clearance, allowing for redevelopment.

- #4 Lot Size: 180,000 square feet
Ownership: City and privately owned
Utility Service: All utilities available
Access: Front, W. First, and W. Seneca Streets
Zoning: Central Business District (B-2)
Development Constraints and Opportunities: Site adjacent to water.

This attractive waterfront site is largely vacant with the exception of a commercial fish market and outdoor cafe located in an attractive old stone building on the southeast corner of the site. Future development of the site could take one of several directions including multi-unit residential use, commercial use, or a combination of both. These uses would be allowed under the existing zoning and would complement the existing uses. Development of this site should be accomplished in a careful manner so that the water access is fully integrated into the development plan. The site also connects directly with the Linear Park and provides the logical connecting link from this section of the waterfront area to the Wright's Landing recreational complex. Future development should preserve a right-of-way for this connection which is discussed more fully in the Uses and Projects section of this report.

TABLE 1 (cont'd)

Site No.	Site Characteristics
#5	<p><u>Lot Size:</u> 106,250 square feet</p> <p><u>Ownership:</u> Privately owned</p> <p><u>Utility Service:</u> All utilities available</p> <p><u>Access:</u> W. First, W. Second, and W. Cayuga Streets</p> <p><u>Zoning:</u> Central Business District (B-2)</p> <p><u>Development Constraints and Opportunities:</u> Close proximity (300 feet) to water.</p> <p>This block sized site is partially developed but opportunities exist for increasing the value of existing properties through renovation and use of the upper floors. Use at present is commercial. Although the block is in close proximity to the water, there is no overriding need to tie redevelopment of this block to uses which are water dependent or water enhanced. Continued access to the waterfront is virtually guaranteed via West Cayuga and Seneca Streets which lead directly to the water's edge.</p>
#6	<p><u>Lot Size:</u> 25,000 square feet</p> <p><u>Ownership:</u> City of Oswego</p> <p><u>Utility Service:</u> All utilities available</p> <p><u>Access:</u> Water Street</p> <p><u>Zoning:</u> Central Business District (B-2)</p> <p><u>Development Constraints and Opportunities:</u> Site adjacent to water.</p> <p>This long, narrow site forms the northern end of the Linear Park and no additional uses, other than the Park, are considered appropriate for this location. See the discussion of the Linear Park in the Uses and Projects section of this report for details relative to the development of this area.</p>
#7	<p><u>Lot Size:</u> 30,000 square feet</p> <p><u>Ownership:</u> City and privately owned</p> <p><u>Utility Service:</u> All utilities available</p> <p><u>Access:</u> W. First, W. Second, W. Bridge and W. Cayuga Streets</p> <p><u>Zoning:</u> Central Business District (B-2)</p> <p><u>Development Constraints and Opportunities:</u> Site fronts on Bridge Street, a major shopping street.</p> <p>This Central Business District block offers a wide variety of redevelopment options of a commercial nature, all of which are permitted uses under the City Zoning Ordinance. Responsibility for developing viable proposals and determining financing options rests with the City Community Development Office.</p>

TABLE 1 (cont'd)

Site
No.

Site Characteristics

- #8 Lot Size: 240,000 square feet
Ownership: Privately owned
Utility Service: All utilities available
Access: W. First Street
Zoning: Neighborhood business (B-1)
Development Constraints and Opportunities: Site adjacent to water.

This large site overlooks the hydroelectric dam on the Oswego River and is adaptable for all uses permitted in the Neighborhood Business zone. The Linear Park will, upon completion, run on the river side of the property. New development should tie into the park where possible and maintain visual relationship with the river where direct contact is not possible.

- #9 Lot Size: 60,984 square feet
Ownership: Privately owned
Utility Service: All utilities available
Access: E. Utica & E. First Streets
Zoning: Industrial District (IN)
Development Constraints and Opportunities: Adjacent to Oswego River; possible multiple use vacant building/site.

This large, developed site is the location of a vacant factory building and auxillary structures which have the potential for a variety of new uses. The style and materials of the buildings suggest reuse as opposed to demolition because they are typical of riverfront building in the northeast and similar structures have been successfully renovated in other communities. The block is currently zoned for industrial use but, given modern production requirements, it is doubtful that a viable industrial/manufacturing reuse could be identified for the area. To promote reuse of this site, the City will consider proposals which comply with the Redevelopment District, B-3 regulations and will entertain requests for rezoning or for a use variance.

- #10 Lot Size: 66,000 square feet
Ownership: Privately owned
Utility Service: All utilities available
Access: E. Second, E. Third, E. Cayuga, & E. Bridge Streets
Zoning: Central Business District (B-2)
Development Constraints and Opportunities: Site is partially in use -- but more intensive use is desirable.

This site is partially developed as a shopping plaza but more intensive use of the plaza should be considered. Achieving this objective is likely to be very difficult because a complete review of the current plaza operations coupled with redesign of major portions of the block would be necessary. Consequently, while this site is listed as an opportunity site, there are a number of other sites within the waterfront area which should receive a higher priority in the waterfront revitalization program.

TABLE 1 (cont'd)

Site
No.

Site Characteristics

- #11 Lot Size: 30,000 square feet
Ownership: Publicly owned
Utility Service: All utilities available
Access: E. First & E. Cayuga Streets
Zoning: Central Business District (B-2)
Development Constraints and Opportunities: Adjacent to water.

This is the site of the Barge Canal Terminal, owned by the State of New York Department of Transportation. Although the site is somewhat narrow, it offers many opportunities for attractive waterfront development, particularly for recreation, public access and related uses. Initial discussions with DOT regarding future plans for the property have begun and there are indications that more intensive development for recreational uses is a real possibility. These discussions should be pursued and, when necessary, appropriate community actions undertaken to promote future development of the property as a recreational resource.

- #12 Lot Size: 275,000 square feet
Ownership: Privately owned
Utility Service: All utilities available
Access: E. Second, E. Third, and E. Cayuga Streets
Zoning: Central Business District (B-2)
Development Constraints and Opportunities: Site is partially in use - but more intensive use is desirable.

This large parcel currently houses a grocery store, fabric shop and branch bank with attendant parking facilities. The site is large enough to provide development space for other uses of a similar nature and, as the demand for commercial space on the east side of the river grows, there is some likelihood that additional development would occur at this location. If such proposals are put forth, the City will need to evaluate each one in light of its compatibility and potential impact and, where feasible, support new development on this site.

TABLE 1 (cont'd)

Site
No.

Site Characteristics

#13 Lot Size: 480,000 square feet
Building Area: 300,000 square feet
Ownership: Port of Oswego Authority
Utility Service: All utilities available
Access: E. Ninth, E. Tenth and Mercer Streets
Zoning: Industrial District (IN)
Development Constraints and Opportunities: Excellent view of Lake Ontario. Close proximity (200 feet) to water.

This site contains the now partially vacant Fitzgibbons Building, an old industrial manufacturing facility with many years of disuse and deterioration. A portion of the west side of the building is now leased to Alcan Aluminum for storage; the remainder of the building is almost a derelict structure requiring an enormous capital investment for reuse in its present form. Future use of the site and building is addressed in the Port Development Study and will be incorporated into the Waterfront Program when this information is available.

#14 Lot Size: 177,750 square feet (20 parcels)
Ownership: private ownership
Utility Service: All utilities available
Access: Mercer, E. Eleventh, Water & E. Twelfth Streets
Zoning: Residential 3 District (R3)
Development Constraints and Opportunities: Adjacent to rail line.

This site, extending over the northern half of two blocks fronting on Mercer Street, is open land in a basically residential neighborhood. Even though adjacent uses to the north include the City's Sewage Treatment Plant, the site appears to be highly suited for multiple unit residential development. (The STP does not negatively impact the site). Given the current dearth of Federal/State assistance programs for housing which is not expected to improve in the foreseeable future, private development of the site will probably be necessary. In any event, an analysis of the site should be undertaken to determine the possibilities for development.

#15 Lot Size: 414,770 square feet (six parcels)
Ownership: Multiple private ownership
Utility Service: All utilities available
Access: Mitchell, E. Van Buren, E. Schuyler & E. Twelfth Streets
Zoning: Industrial District (IN)
Development Constraints and Opportunities: Adjacent to rail line.

Description continued on following page under Site #16.

TABLE 1 (cont'd)

<u>Site No.</u>	<u>Site Characteristics</u>
#16	<u>Lot Size:</u> 148,975 square feet <u>Ownership:</u> Private ownership <u>Utility Service:</u> All utilities available <u>Access:</u> E. Seneca, E. Twelfth & E. Schuyler Streets <u>Zoning:</u> Industrial District (IN) <u>Development Constraints and Opportunities:</u> Adjacent to rail line.

Both Sites 15 and 16 are large open areas within the Waterfront Planning Area which are suitable for future industrial development. While both sites are reasonably close to the waterfront, they need not be reserved for water-dependent or water-enhanced uses as neither has a direct physical relationship to the water. The driving development force here will, most probably, be the presence of the railroad with opportunities for spurs and sidings. Connections such as these would benefit area residents as well as future employees of industry which might locate in these areas.

TABLE 2

ZONING SUMMARY

<u>District Classification</u>	<u>Uses Permitted by Right</u>	<u>Uses Allowed by Special Permit</u>
Neighborhood Business District (B-1)	Retail store & service; business office; personnel service; restaurant & bar; hotel & motel; religious institution; community center; indoor recreation; club; accessory use.	Gasoline station & car wash; drive-in service; wholesale store; public utility facility; commercial parking; automobile sales; funeral home; other commercial uses upon the finding that such use is compatible with those permitted & which will not be detrimental to other uses within the district or to adjoining land use; multiple-family dwelling; one- & two-family dwellings.
Central Business District (B-2)	Same as B-1, plus funeral home.	Same as B-1, except funeral home.
Redevelopment District (B-3)	Multiple family dwelling; bank; professional, governmental & business office & studio; retail shop & service establishment including caterer; hotel, motel, place of assembly; eating & drinking establishment except for drive-in or curb service establishment; parking lot & garage structure, not accessory to other permitted use; sewage pumping station owned by a public authority; canal lock gatehouse; public utility facility; bus passenger shelter, providing no more than 20 seats in open roofed structure; park; accessory use.	No additional uses may be allowed by a special permit.
Industrial District (IN)	Enclosed manufacturing industries; enclosed warehouse or wholesale use; public utility facility; enclosed service & repair; enclosed industrial processes & service; machinery & transportation equipment sales service, & repair; freight or trucking terminal; gasoline station, car wash; animal hospital; garage; parking; accessory use.	Open storage yard; drive-in theater; retail store; quarry, excavation, earth moving; other industrial & commercial uses upon the finding that such use is compatible with those permitted & which will not be detrimental to other uses within the district or to adjoining land uses.

TABLE 2 (cont'd)

<u>District Classification</u>	<u>Uses Permitted by Right</u>	<u>Uses Allowed by Special Permit</u>
Residential 3 (R-3)	One-family and new two-family dwellings; school; religious institution; parking; whole-sale use on property at 253-255 E. Tenth St.; accessory use.	Home occupation; public utility facility; outdoor recreation, community center; hospital, nursing home, convalescent home & clinic; club; philanthropic institution; barber shop, beauty parlor; professional, medical & dental offices; funeral home; internal conversion or additions to two-family dwellings.
Residential 4 (R-4)	One-family and new two-family dwellings; multiple-family dwelling; school; religious institution; parking; accessory use.	Same as R-3 except convalescent home & clinic, funeral home; plus boarding house & dormitory.

NATURAL RESOURCES INVENTORY

Several natural resource factors are important to the Oswego coastal area and have an important role in the Oswego waterfront revitalization program. In order to conserve these natural resources, development proposals submitted to the City for approval are reviewed to determine potential benefits and adverse impacts. Wherever possible, project developers will be encouraged to include measures to enhance natural resource conservation and minimize unavoidable adverse impacts. The City's planning and zoning review process is viewed as a key measure for maintaining and enhancing coastal area natural resources. The natural resources applicable to the Oswego LWRP are shown on a map of Oswego in Figure 2 and are listed below:

- o scenic vistas;
- o significant fish and wildlife habitats;
- o unique topographic/geologic areas;
- o beaches.

The natural resource element that is considered by far to be most important, and therefore of statewide significance, is the Oswego Harbor and River area shown in Figure 2. The area is important for fish and waterfowl populations.

Scenic Vistas

Locally important scenic vistas include views of Lake Ontario from Wright's Landing, Fort Ontario, and the coastal bluffs east of the fort and views of the Oswego River from vantage points on both the east and west banks.

Fish and Wildlife Habitats

The substantial areas currently identified as habitats in Figure 2 include the Oswego Harbor and River areas as well as land areas near the eastern lakeshore of the City. The fish habitats provide excellent sports fishing opportunities. Chinooks, cohos, brown and lake trout, and steelheads are the predominant species within these fisheries.

Oswego Harbor is a waterfowl wintering area, which results from the open water that is created by warm water, particularly that coming from the Niagara Mohawk power plant discharge. It is for this reason that the area outside the breakwalls is in the process of being evaluated by DEC for possible designation as a "significant coastal habitat". The waterfowl population includes scaup, common goldeneye, mergansers, black duck, mallard, oldsquaw, canvasback, and bufflehead.

The fish and wildlife habitat on the Oswego River extends southward to the Niagara Mohawk Power Dam, as shown in Figure 2. This area provides good sports fishing opportunities for smallmouth bass and walleyed pike. DEC indicates that the Oswego River also attracts a productive salmonid fishery based on Pacific salmonids. The potential for a lake trout fishery is also high here. The reason for the existing concentration of sport fish is a high concentration of gizzard shad. DEC also indicates the Oswego River as a probable lake sturgeon habitat.

The landside areas are generally limited by the lack of undisturbed natural habitats for wildlife, according to DEC. The area shown in Figure 2 as a wildlife habitat (northeast area of City) is not significant from a statewide perspective. The wildlife consists of the more or less ubiquitous varieties, such as robins and catbirds; much of the area is used as a cemetery.

DEC has indicated that any activity that would substantially degrade water quality or reduce flows in the Oswego River could affect the biological productivity of this area. All species of fish and wildlife may be adversely affected by water pollution, such as chemical contamination (including food chain effects), oil spills, excessive turbidity or sedimentation, and waste disposal. Continued efforts should be made to improve water quality in the River, which is dependent upon controlling discharges from combined sewer overflows, industrial point sources, ships, and nonpoint sources throughout the watershed. Spills of oil or other hazardous substances are an especially significant threat to waterfowl concentrations in the Oswego River area. Fluctuating water levels and diversion of flows resulting from hydroelectric power generation at Varick dam represent significant potential impacts on the habitat, including affecting warmwater fish spawning in the River. A primary concern is the need to provide adequate spillage over the dam to permit lake sturgeon survival, and possibly, successful reproduction. Because of the year-round fish and wildlife use of the area, maintenance dredging activities at any time of year could affect certain species; such activities should be minimized, and when necessary, be completed in as short a time period as possible. Thermal discharges, depending on time of year, may have variable effects on use of the area by aquatic species and wintering waterfowl. Installation and operation of water intakes could have a significant impact on juvenile (and adult, in some cases) fish concentrations, through impingement or entrainment. Public access to this area should be maintained or enhanced to ensure that adequate opportunities for compatible human uses of the fish and wildlife resources are available.

Unique Topographic/Geologic Areas

Figure 2 identifies areas along the Lake Ontario eastern shoreline as unique topographic/geologic areas. These consist of bluffs and bedrock outcroppings which are of local, but not statewide interest. These areas are not under development pressure but, if this condition should change, the City's intent is to protect natural resources from undesirable encroachment with appropriate protection through the City's land development review process.

Beaches

Two areas, one on the East Side and one on the West Side, are identified in Figure 2 as beach sites, both of which are privately owned and considered only nominally as beaches. The eastern beach area, known locally as Smith Beach, is not open for public use. A question has been raised as to whether the toxic waste site on Wine Creek, formerly operated by Pollution Abatement Service, Inc., has adversely affected the beach or the water quality to the point of making the beach unsuitable for use. Wine Creek empties at Smith Beach. If this problem can be solved, the establishment of a beach for public use would

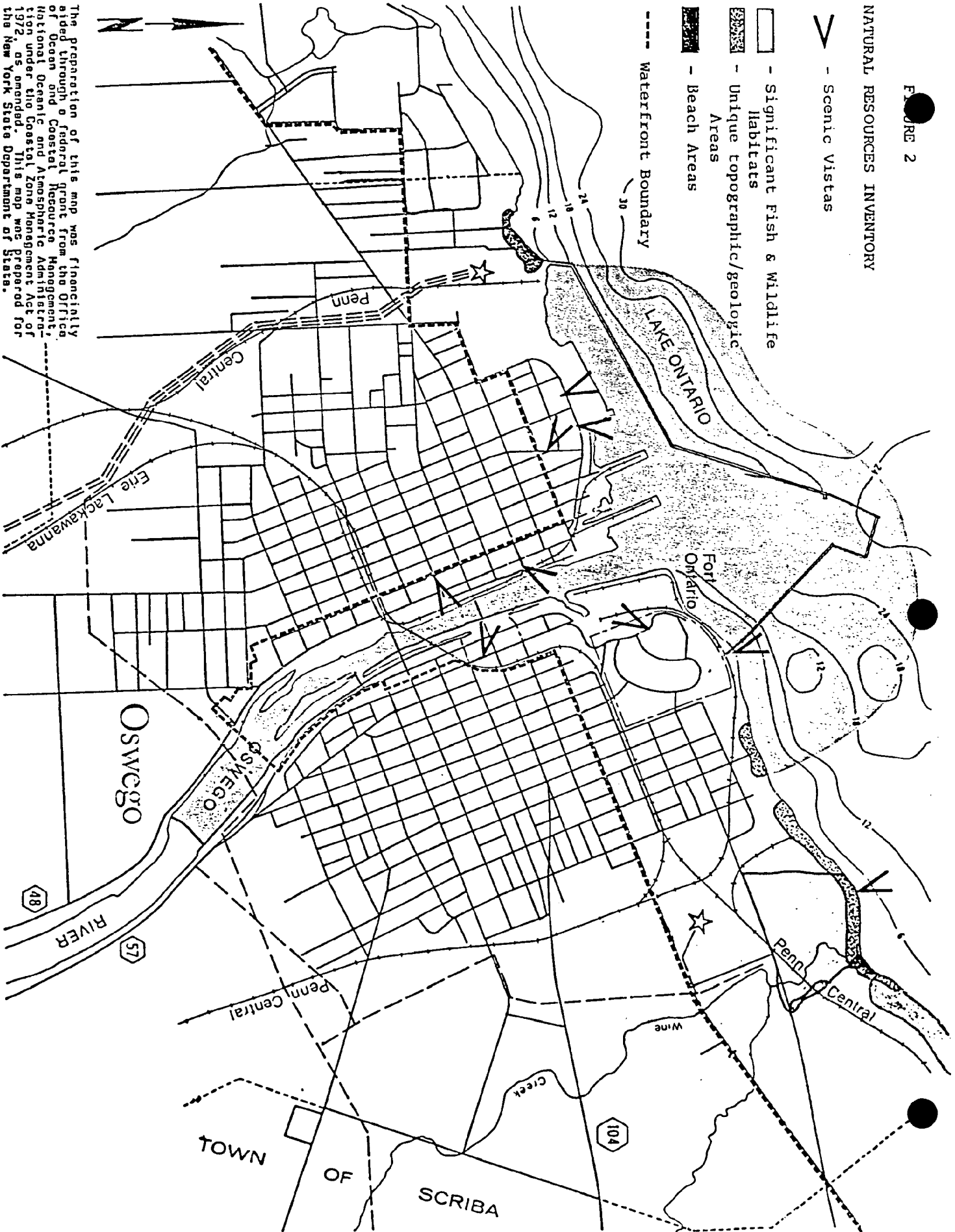
enhance the waterfront area by providing additional public access. This assumes that questions pertaining to the current private ownership of the beach and surrounding areas can be answered in support of such a public facility. Figure 6 shows the Smith Beach area as a potential public access site, reflecting either public or private development of the site for public use.

With respect to problems associated with the former Pollution Abatement Service, DEC's Division of Solid and Hazardous Waste currently is conducting an environmental assessment of Wine Creek and its major tributary, White Creek, in the area around and downgradient from the abandoned Pollution Abatement Services hazardous waste facility. The study is designed to determine primarily if any current or residual impact to the stream systems exists and, if so, what types of remedial responses would be appropriate. Smith's beach will be considered to a limited extent in this study, which is expected to be completed in the spring of 1986. The PAS site is scheduled for remedial action during the summer of 1986, which will eliminate any further impact on Wine Creek from the toxic wastes at the site.

The western shore area includes a private beach area adjacent to the residence of the President of SUNY Oswego which, because of its proximity to the residence, may not be suitable for public access. However, this site is shown as a nominal beach area in Figure 2.

FIGURE 2

NATURAL RESOURCES INVENTORY



The preparation of this map was financially aided through a federal grant from the Office of Ocean and Coastal Resource Management, National Oceanic and Atmospheric Administration under the Coastal Zone Management Act of 1972, as amended. This map was prepared for the New York State Department of State.

EXISTING LAND AND WATER USES

The existing uses of the waterfront were described previously in this Chapter under Description of Waterfront Revitalization Area and Oswego Waterfront Resources and Opportunities, beginning on Page 2. Figure 2 shows the fish habitat in the Oswego Harbor and River. The associated fishing activity is identified in Figure 6 in terms of public access and recreation sites. Figure 3 shows the distribution of land uses within and adjacent to the Oswego coastal boundary. Many of these land uses also extend over the water, particularly with respect to the Port's commercial shipping activities and the City's recreation areas shown in Figures 3 and 6. Normally these activities operate without significant mutual interference.

DEVELOPMENTAL CONSIDERATIONS

Factors to be considered in developing land within the Oswego waterfront area consist of:

- o flood plains (see Figure 4);
- o wetlands (see Figure 4);
- o public sewer and water areas (see Figure 4);
- o areas of critical erosion (see Figure 4);
- o historic/archeologic sites and districts (see Figure 5);
- o areas of high water table (see Figure 5);
- o steep slopes (see Figure 5); and,
- o coastal water classification (see Figure 3).

1. Flood Plains, Wetlands and Public Sewer and Water Service Areas

Flood plains, wetlands and sewer and water service areas are shown in Figure 4. The flood plain area along the City's river and lake shore is minor and does not constitute a problem of any magnitude.

The wetlands are located along the southern boundary of the City and also along the eastern and northeastern parts of the City. Of the seven enumerated wetlands (see Figure 4), two are very disturbed (OE 1 and OE 12), one of which (OE 1) is very adversely affected by the PAS toxic waste site and other dumping. Two other wetlands are of significance locally (OE 28 and OW 13), although the latter is despoiled by filling and garbage dumping by adjacent residents. Wetland OE 28 was described in the wetlands field sheets as a beautiful coastal swamp and OW 13 as a beautiful clay marsh-like swamp despite disturbances.

The entire City is within public sewer and water service areas and served by two wastewater treatment plants; the Eastside STP provides secondary treatment with a design flow of 3.0 MGD; the Westside STP provides tertiary treatment with a design flow of 4.0 MGD.

With respect to flood hazard concerns, the areas subject to flooding are very narrow and are publicly owned, the use of which is open space/recreation. The flood hazard is therefore considered negligible in Oswego and no private development is anticipated that would appreciably change this situation. The pattern of public ownership of the shoreline is

expected to continue. In addition, Oswego County has an extensive emergency management program, if that should ever be needed.

2. Areas of Critical Erosion

The areas of critical erosion, as determined by the NYS Department of Environmental Conservation, are shown in Figure 5. The City has adopted a coastal erosion hazard ordinance as part of the LWRP.

3. Historic and Archeologic Sites and Districts

The historic and archeologic sites of national and local importance are shown in Figure 5. The historic sites include:

East Side

- 1 Richard Bates House Museum, 135 E. Third St. (National Register)
- 2 Oswego City Library, 120 E. Second St. (National Register)
- 3 Oswego County Courthouse, E. Oneida St.
- 4 Fort Ontario (National Register)

West Side

- 5 Cahill Fish Market, W. Seneca & W. First Sts. (National Register)
 - 6 Oswego Market House, W. Bridge & Water Sts. (National Register)
 - 7 Pontiac Hotel, 225 W. First St. (National Register)
 - 8 Oswego City Hall, W. Oneida St. (National Register)
 - 9 Federal Building, W. Oneida St. (National Register)
 - 10 Sloan Hawley House and Carriage House, 107 W. Van Buren St.
 - 11 Sheldon Hall, Washington Blvd. & Sheldon Ave. (National Register)
- (These sites are shown in Figure 5, as numbered above.)

Archeologic sites of potential significance have been identified in the waterfront area. National Registry of Historic Places eligibility documentation has been prepared for the Oswego West Side Archeological District, which is shown in Figure 5. Archeological data has been recovered from a number of sites within the district and a final report is in preparation.

In addition to the historic sites, the Franklin Square Historic District has been added to the National Register (see Figure 5). This district includes, among other sites, a house of historic importance at 49 West Fifth Street. The boundaries of the Franklin Square Historic District are:

West Fifth Street: west side from two houses north of Van Buren to the Elks on the SW corner of Bridge Street, 30 to 140 (140 has been demolished).

West Fourth Street from Cayuga to Bridge Street: west side 102 to 128; east side 105 to 123.

West Third Street from Seneca to Bridge Street: west side 104 to 116; east side 77 to 119.

West Seneca from Third to Fifth: north side 35 to 53; south side 60.

West Cayuga: north side from Third to Sixth plus small building attached to the rear of the Welland (which should be decertified; listing error), 31 and 67 to 73; south side from West Third to West Fifth 40-62.

West Bridge Street: from NW corner of Fourth to the west side of West Fifth on the north side 69 to 73; from the SW corner of Fourth to SW corner of Fifth on the south side 62 to 74.

Finally, an historic district, to be known as the Westbank Historic District, is now being identified and documentation prepared for submission for inclusion in the National Register (see Figure 5). The approximate boundaries of the Westbank Historic District are:

West First Street: from Oneida to midway between Market Street Alley and Cayuga on the east side (stop at empty lot); from Oneida to the Matador Building on the west side.

West Bridge Street: from the Oswego River across First Street and possibly up to the west side of Second Street.

The Oswego Theatre on West Second might also be included.

4. Areas of High Water Table and Steep Slopes

Figure 5 shows areas having a high water table and steep slopes.

5. Coastal Water Classification

Pursuant to the Federal Clean Water Act of 1977 (PL95-217), the State has classified its coastal and other waters, in accordance with considerations of best usage in the interest of the public, and has adopted water quality standards for each class of water. As part of this State program, Lake Ontario in the vicinity of the City of Oswego has been classified "A", for which the best use is designated public water supply with filtration and disinfection. The portion of the Oswego River within the City's boundaries is classified "C", for which the best use is designated as fishing. The water classifications "A" and "C" are shown where appropriate in Figure 3.

COASTAL PUBLIC ACCESS AND RECREATION

The public has had a moderate amount of access to the coastal area of Oswego for many years and recent improvements, some not yet completed, will have a substantial positive impact on public access to the Oswego waterfront. Figure 6 shows public access and recreation sites identified by the St. Lawrence-Eastern Ontario Commission's report, Coastal Public Access and Recreation in the St. Lawrence-Eastern Ontario Region; An Inventory and Analysis of Sites Under Local Government Jurisdiction (Final Report, July 1983). Figure 6 shows areas which now exist (Breitbeck Park, Wright's Landing, and a portion of the West Bank Linear Park); the access area now awaiting funds for implementation (a portion of the West Bank Linear Park); and areas identified as having potential for public access and recreational use. Further discussion of these sites is included in Section IV, Projects #1, #2, #3 and #4.

One area along the Oswego River has been identified as having a potential for Linear Park development on the East Bank. This extends from the Port Authority property to the power dam. The land in question is owned by the NYS Department of Transportation as part of the State's Barge Canal System. DOT is currently examining the possibility of developing the site in question for public access. A second area is on the shore of Lake Ontario east of the Oswego River at a site known as Smith Beach which has been discussed in a previous section on the Natural Resources Inventory. Finally, the suggestion has been made that the breakwalls provide excellent fishing opportunities. With respect to the eastern breakwall, a bridge access of some type could be constructed and the breakwall itself capped and a railing attached. The breakwall is shown in Figure 6 for potential public access. Further discussion of these sites is included in Section IV, Projects #5 and #6.

With respect to the western breakwall, the City currently has an agreement with Niagara Mohawk Power Corporation permitting public access to the breakwall over Niagara Mohawk property. However, the breakwall appears in need of repair, capping and a railing to provide greater safety. Since the current breakwall condition is less than suitable for public access, Figure 6 identifies the breakwall as a potential rather than existing site, in order to avoid encouraging further use of a less than safe facility.

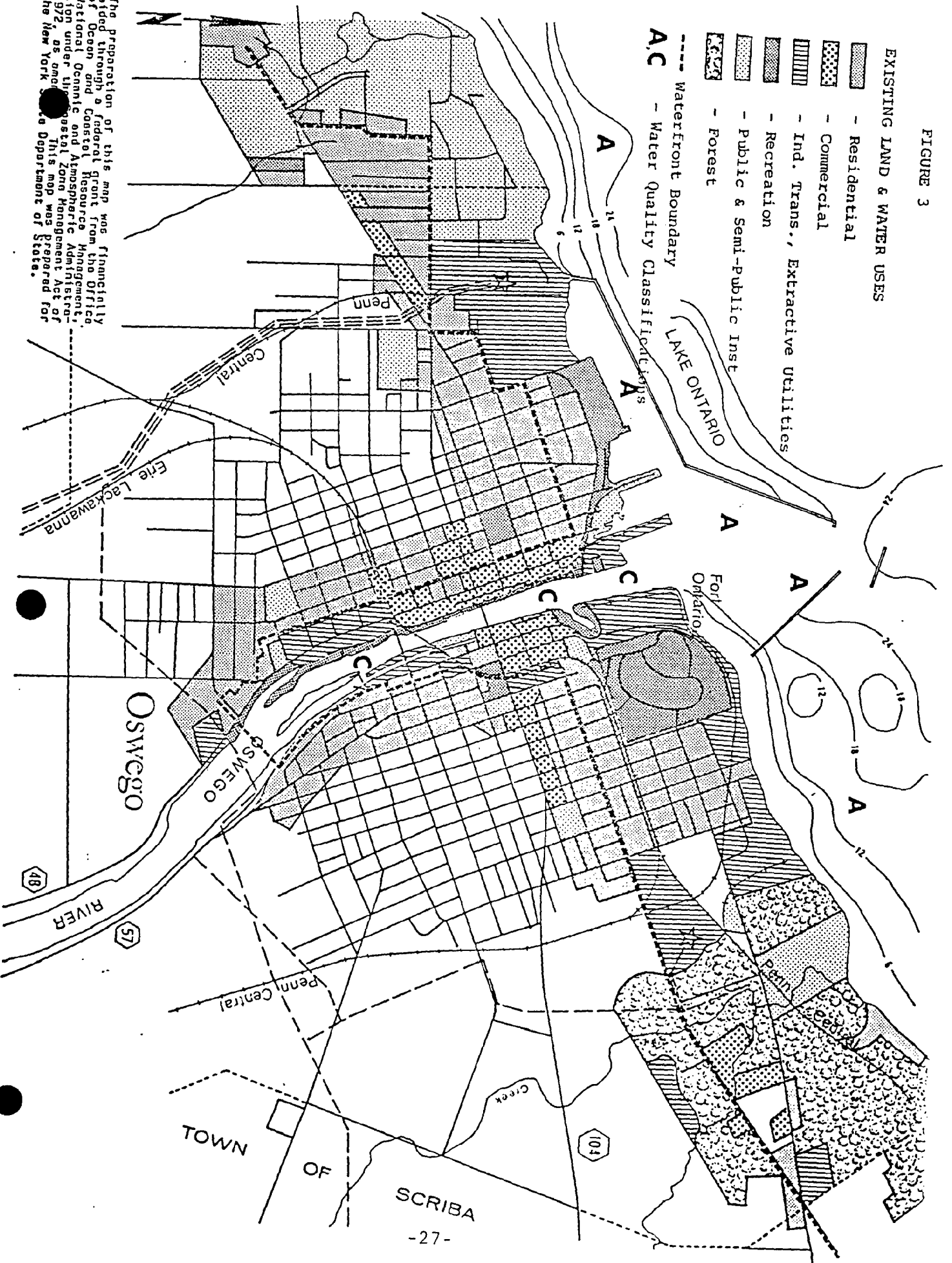
EXISTING LAND & WATER USES

- Residential
- Commercial
- Ind. Trans., Extractive Utilities
- Recreation
- Public & Semi-Public Inst
- Forest

Waterfront Boundary

Water Quality Classifications

LAKE ONTARIO



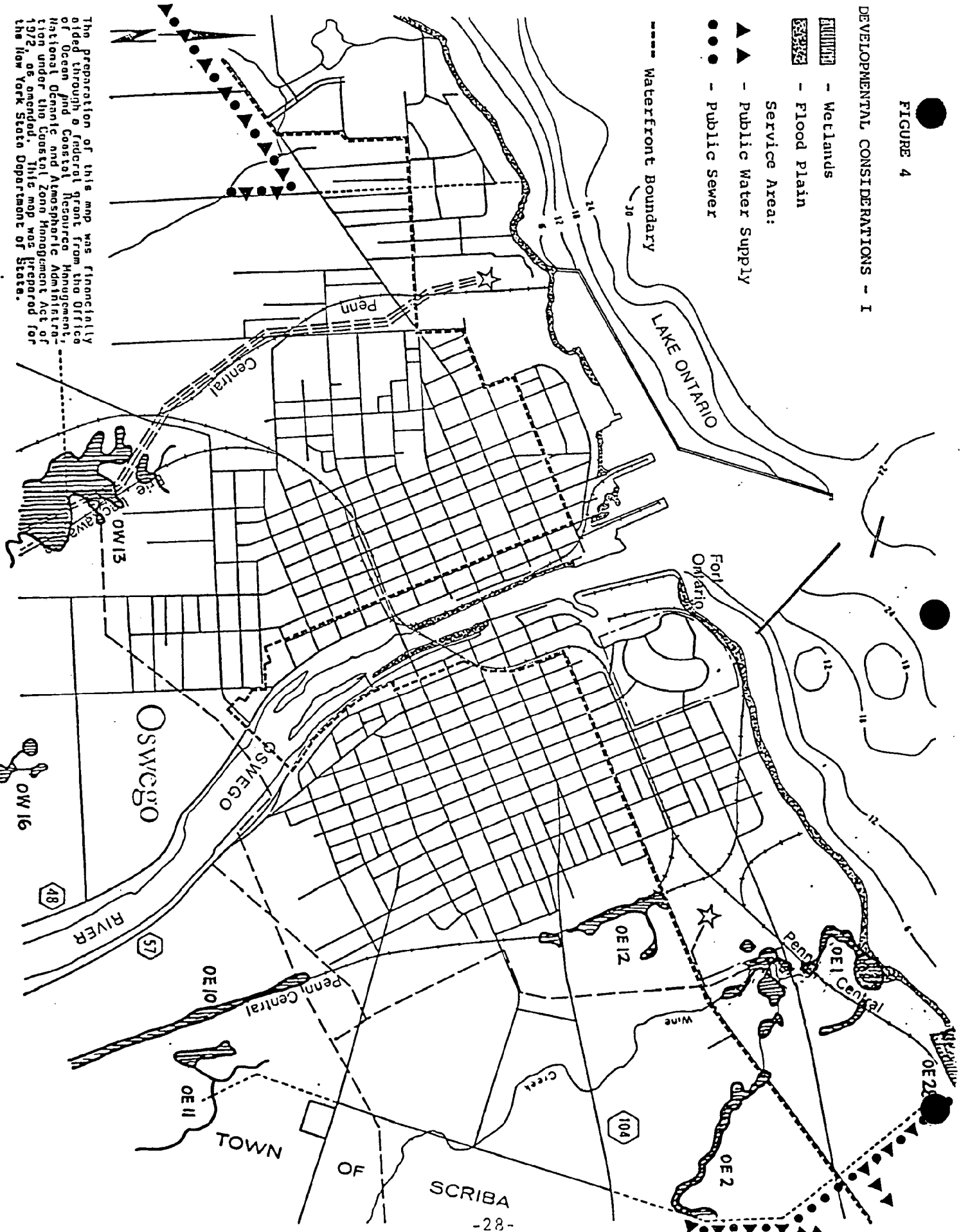
The preparation of this map was financially aided through a Federal grant from the Office of Ocean and Coastal Resource Management, National Oceanic and Atmospheric Administration under Economic and Environmental Act of 1972, as amended. The Coastal Zone Management Act of the New York State Department of State.

FIGURE 4

DEVELOPMENTAL CONSIDERATIONS - I

- ▨ - Wetlands
- ▨ - Flood Plain
- Service Area:
- ▲▲ - Public Water Supply
- - Public Sewer

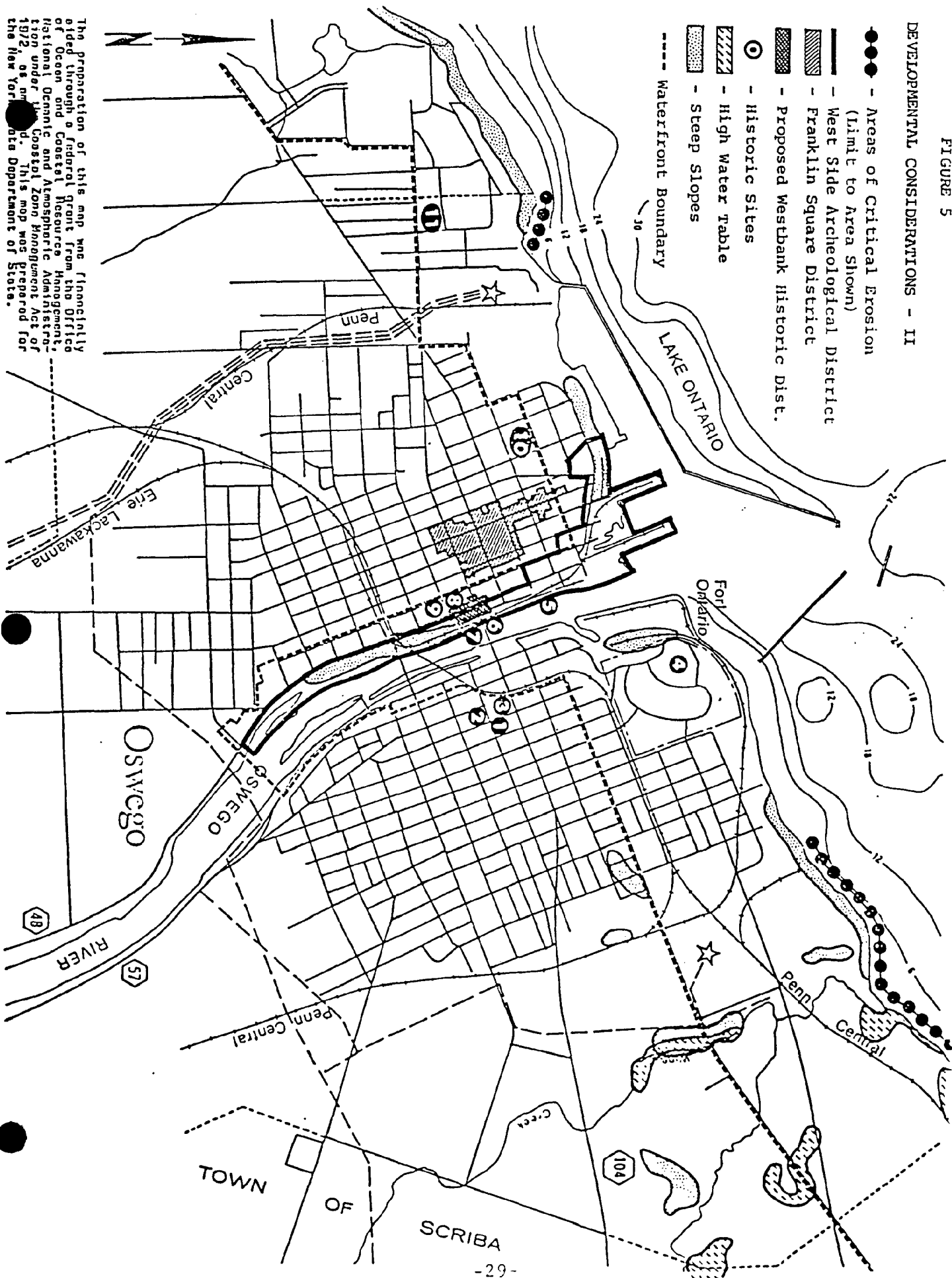
----- Waterfront Boundary



The preparation of this map was financially aided through a federal grant from the Office of Ocean and Coastal Resource Management, National Oceanic and Atmospheric Administration under the Coastal Zone Management Act of 1972, as amended. This map was prepared for the New York State Department of State.

FIGURE 5

DEVELOPMENTAL CONSIDERATIONS - II



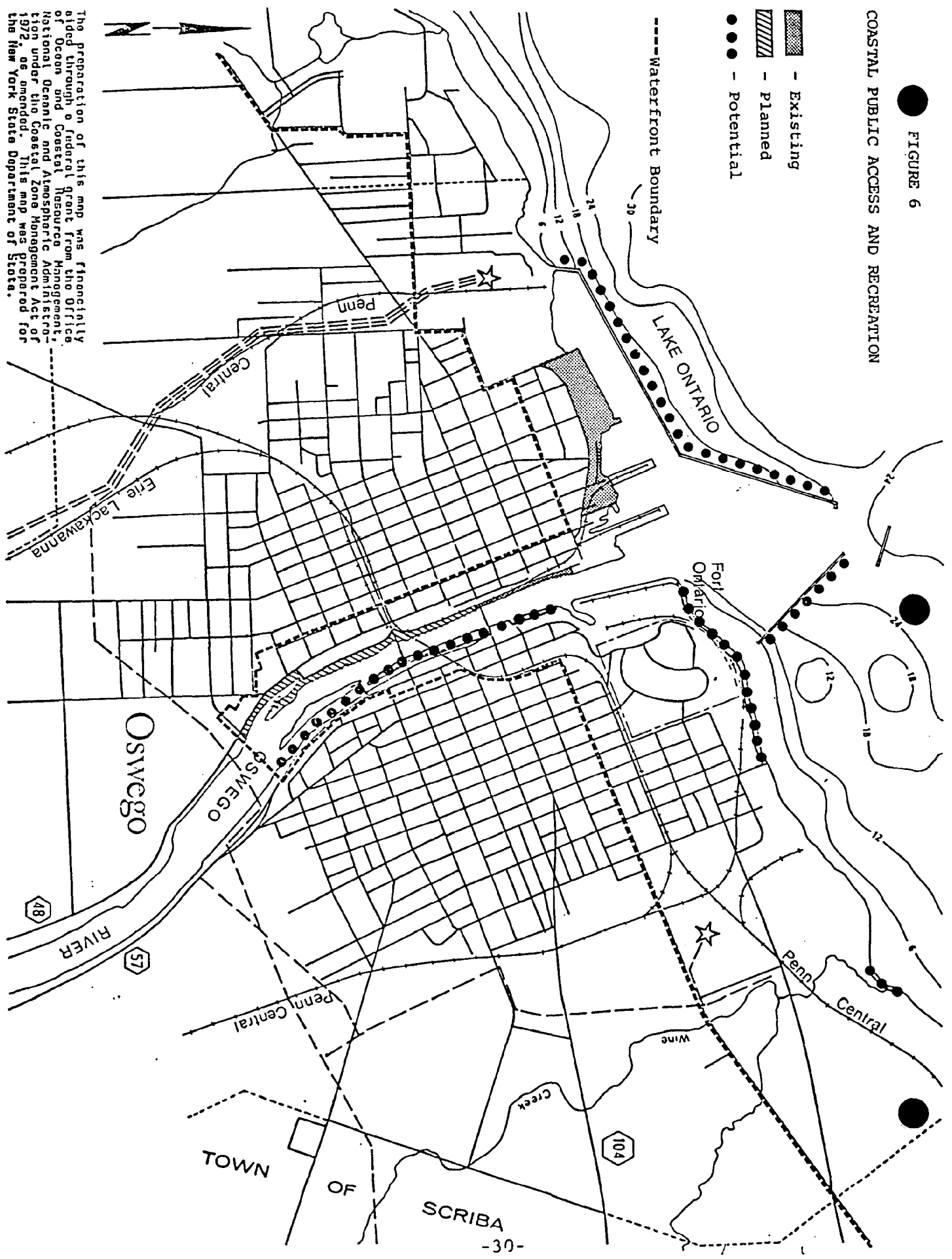
The preparation of this map was financially aided through a Federal grant from the Office of Ocean and Coastal Resource Management, National Oceanic and Atmospheric Administration under the Coastal Zone Management Act of 1972, as amended. This map was prepared for the New York State Department of State.

FIGURE 6

COASTAL PUBLIC ACCESS AND RECREATION

- Existing
- Planned
- Potential

Waterfront Boundary



The preparation of this map was financially aided through a federal grant from the Office of Ocean and Coastal Resource Management, National Oceanic and Atmospheric Administration under the Coastal Zone Management Act of 1972, as amended. This map was prepared for the New York State Department of State.

SECTION III

WATERFRONT REVITALIZATION PROGRAM POLICIES

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WATERFRONT REVITALIZATION PROGRAM POLICIES

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DEVELOPMENT POLICIES

POLICY 1 RESTORE, REVITALIZE, AND REDEVELOP DETERIORATED AND UNDERUTILIZED WATERFRONT AREAS FOR COMMERCIAL AND INDUSTRIAL, CULTURAL, RECREATIONAL AND OTHER COMPATIBLE USES.

Explanation of Policy

Local, state and federal agencies must ensure that their actions further the revitalization of urban waterfront areas. The transfer and purchase of property; the construction of a new office building, highway or park; the provision of tax incentives to businesses; establishment of enterprise zones, are all examples of governmental means for spurring economic growth. When any such action, or similar action is proposed, it must be analyzed to determine if the action would contribute to or adversely affect a waterfront revitalization effort. Revitalization of once dynamic waterfront areas is one of the most effective means of encouraging economic growth without consuming valuable open space outside of the waterfront area. Waterfront redevelopment is also one of the most effective means of rejuvenating or stabilizing residential and commercial districts adjacent to the redevelopment area.

In implementing this policy, several other policies must be considered: (1) Uses requiring a location abutting the waterfront must be given priority in any redevelopment effort (see Policy 2); (2) as explained in Policy 5, one reason for revitalizing previously dynamic waterfront areas is that the costs for providing basic services to such areas is frequently less than providing new services to areas not previously developed; (3) the likelihood for successfully simplifying permit procedures and easing certain requirements (Policy 6) will be increased if a discrete area and not the entire urban waterfront is the focus for this effort. In turn, ease in obtaining permits should increase developers' interest to invest in these areas. Further, once this concentrated effort has succeeded, stabilization and revitalization of surrounding areas is more likely to occur. Local government through waterfront revitalization programs has the primary responsibility for implementing this policy.

POLICY 1A RESTORE, REVITALIZE, AND REDEVELOP OPPORTUNITY SITES IN THE OSWEGO WATERFRONT AREA AND UTILIZE AVAILABLE PUBLIC AND PRIVATE RESOURCES TO ACHIEVE A MIXTURE OF COMPATIBLE WATERFRONT USES.

Explanation of Policy

The City of Oswego's waterfront area is possibly the single greatest asset for stimulating economic development to create new employment opportunities. By encouraging appropriate use of the opportunity sites discussed in Section II, Inventory and Analysis, the City will maintain a climate which is attractive to private investors interested in profitable ventures. The City is committed to a revitalization of the Oswego waterfront as a means for

encouraging economic growth as well as expanding the use and enjoyment of the waterfront for a mixture of activities. The criteria or guidelines for determining consistency with this policy include:

1. Giving priority to uses which are dependent on, or enhanced by, a location adjacent to the water.
2. Encouraging private initiatives which lead to a mixture of development which is compatible with the desired character of the area.
3. Promoting activities or actions which serve as a catalyst to private investment and have the potential to improve the City's economic base.
4. Encouraging activities which improve the physical appearance and enhance the unique qualities of the Oswego waterfront as well as enhance scenic vistas and achieve a mixture of compatible uses.
5. Incorporating public access to the waterfront, where appropriate, and integrating cultural and recreational activities with economic development to achieve a compatible mixture of waterfront land uses.

POLICY 2 FACILITATE THE SITING OF WATER-DEPENDENT USES AND FACILITIES ON OR ADJACENT TO COASTAL WATERS.

Explanation of Policy

There is a finite amount of waterfront space suitable for development purposes. Consequently, while the demand for any given piece of property will fluctuate in response to varying economic and social conditions, the only reasonable expectation is that long-term demand for waterfront space will intensify.

The traditional method of land allocation, i.e., the real estate market, with or without local land use controls, offers little assurance that uses which require waterfront sites will, in fact, have access to the State's coastal waters. To ensure that such water-dependent uses can continue to be accommodated within the State, State agencies will avoid undertaking, funding, or approving non-water dependent uses when such uses would preempt the reasonable foreseeable development of water dependent uses. Such water dependent uses could include industrial and commercial activity to expand the local economy as well as a mixture of housing and retail activity or recreational uses, depending on site location and size and public funding or private initiative.

POLICY 2A FACILITATE APPROPRIATE INDUSTRIAL AND COMMERCIAL USES IN THE OSWEGO WATERFRONT AREA WHICH REQUIRE OR CAN BENEFIT SUBSTANTIALLY FROM A WATERFRONT LOCATION AND WHICH WILL PROVIDE ADDITIONAL EMPLOYMENT OPPORTUNITIES TO STRENGTHEN THE LOCAL OSWEGO ECONOMY.

- POLICY 2B FACILITATE APPROPRIATE ACTIVE AND PASSIVE RECREATIONAL USES AND CULTURAL USES IN THE OSWEGO WATERFRONT AREA WHICH REQUIRE OR CAN BENEFIT SUBSTANTIALLY FROM A WATERFRONT LOCATION AND WHICH, WHENEVER POSSIBLE, WILL INCREASE THE NUMBER OF JOBS AND THE USE OF OSWEGO'S WATERFRONT.
- POLICY 2C AS OPPORTUNITIES ARISE, ENCOURAGE THE POSSIBLE RELOCATION OF EXISTING NON-WATER DEPENDENT USES FROM THE OSWEGO WATERFRONT TO OTHER APPROPRIATE AREAS SUITABLE FOR CONDUCTING THE ACTIVITY IN QUESTION, THEREBY MAKING WATERFRONT SITES AVAILABLE FOR WATER-DEPENDENT USES OR ACTIVITIES ENHANCED BY A WATERFRONT LOCATION.

Explanation of Policy

The City of Oswego has a finite amount of waterfront space suitable for development purposes. While virtually all of the uses currently sited at the Oswego waterfront are either water-dependent or are enhanced by a waterfront location, the City needs to ensure that the future use of undeveloped or under-utilized sites enhances the City's waterfront, by encouraging only those new activities in the waterfront area which are water-dependent or water-enhanced, as demand for the use of this area increases. The waterfront areas of particular importance are the Opportunity Sites discussed in Section II, Inventory and Analysis.

The following uses and facilities are considered as water dependent:

- o uses which depend on the utilization of resources found in coastal waters (for example: fishing, mining of sand and gravel, mariculture activities);
- o recreational activities which depend on access to coastal waters (for example: swimming, fishing, boating, wildlife, viewing);
- o uses involved in the sea/land transfer of goods (for example: docks, loading areas, pipelines, short-term storage facilities, especially activities of the Port of Oswego);
- o structures needed for navigational purposes (for example: locks, dams, lighthouses);
- o flood and erosion protection structures (for example: breakwaters, bulkheads);
- o facilities needed to store and service boats and ships (for example: marinas, boat repair, boat construction yards);
- o uses requiring large quantities of water for processing and cooling purposes (for example: hydroelectric power plants, fish processing plants, pumped storage power plants);
- o uses that rely heavily on the waterborne transportation of raw materials or products which are difficult to transport on land, thereby making it critical that a site near to shipping facilities be obtained (for example: coal export facilities, cement plants, quarries);

- o uses which operate under such severe time constraints that proximity to shipping facilities becomes critical (for example: firms processing perishable foods);
- o scientific/educational activities which, by their nature, require access to coastal waters (for example: certain meteorological and oceanographic activities); and
- o support facilities which are necessary for the successful functioning of permitted water dependent uses (for example: parking lots, snack bars, first aid stations, short-term storage facilities). Though these uses must be near the given water dependent use they should, as much as possible, be sited inland from the water dependent use rather than on the shore.

In addition to water dependent uses, uses which are enhanced by a waterfront location should be encouraged to locate along the shore, though not at the expense of water dependent uses. A water-enhanced use is defined as a use that has no critical dependence on obtaining a waterfront location, but the profitability of the use and/or the enjoyment level of the users would be increased significantly if the use were adjacent to, or had visual access to, the waterfront. A restaurant which uses good site design to take advantage of a waterfront view, and a golf course which incorporates the coastline into the course design, are two examples of water-enhanced uses.

If there is no immediate demand for a water dependent use in a given area but a future demand is reasonably foreseeable, temporary non-water dependent uses should be considered preferable to a non-water dependent use which involves an irreversible, or nearly irreversible commitment of land. Parking lots, passive recreational facilities, outdoor storage areas, and non-permanent structures are uses of facilities which would likely be considered as "temporary" non-water dependent uses.

The criteria or guidelines for determining consistency with these policies include:

1. Matching water-dependent or water-enhanced uses with suitable locations to avoid conflicts between competing uses in the waterfront area.
2. Providing adequate sewer, water, power supply, and transportation facilities to development sites.
3. Providing adequate, safe access for those activities to be conducted on the water.
4. Providing protection from degradation to other natural and man-made coastal resources.

5. Giving preference to water-dependent uses at underutilized sites through capital programming, permit expediting, financial incentives and other local actions to promote such sites.
6. Providing adequate space for expansion of successful water-dependent uses in the future.

POLICY 3

ENCOURAGE THE DEVELOPMENT OF THE STATE'S EXISTING MAJOR PORTS OF ALBANY, BUFFALO, NEW YORK, OGDENSBURG, AND OSWEGO AS CENTERS OF COMMERCE AND INDUSTRY. AND ENCOURAGE THE SITING, IN THESE PORT AREAS, INCLUDING THOSE UNDER THE JURISDICTION OF STATE PUBLIC AUTHORITIES, OF LAND USE AND DEVELOPMENT WHICH IS ESSENTIAL TO OR IN SUPPORT OF WATERBORNE TRANSPORTATION OF CARGO AND PEOPLE.

Explanation of Policy

The aim of this policy is to support port development in New York, Albany, Buffalo, Ogdensburg, and Oswego. Three other development policies discussed in this Section, have significant implications for port development, namely: water dependency, concentration of development, and the expediting of permit reviews. In implementing this policy, state agencies will recognize the legally established jurisdictional boundaries of the port authorities and will abide by the following guidelines:

1. In assessing proposed projects within or abutting a major port, given that all other applicable policies are adhered to, the overriding consideration is the maintenance and enhancement of port activity, i.e., development related to waterborne transportation, which will have precedence over other non-port related activities.
2. Dredging to maintain the economic viability of major ports will be regarded as an action of regional or statewide public benefit if: a clear need is shown for maintaining or improving the established alignment, width, and depth of existing channels or for new channels essential to port activity; and, it can be demonstrated that environmental impacts would be an acceptable level according to State regulations governing the activity.
3. Landfill projects in the near shore areas will be regarded as an acceptable activity within major port areas, provided adverse environmental impacts are acceptable under all applicable environmental regulations and a strong economic justification is demonstrated.
4. If non-port related activities are proposed to be located in or near to a major port, these uses shall be sited so as not to interfere with normal port operations.

5. When not already restricted by existing laws or covenants and when there is no overriding regional or statewide public benefit for doing otherwise, surplus public land or facilities within or adjacent to a major port shall be offered for sale, in the first instance, to the appropriate port authority.
6. In the programming of capital projects for port areas, highest priority will be given to projects that promote the development and use of the port. However, in determining such priorities, consideration must also be given to non-port related interests within or near the ports that have demonstrated critical capital programming needs.
7. No building, piers, wharves, or vessels shall be abandoned or otherwise left unused by a public agency or sold without making provisions for their maintenance in sound condition or for their demolition or removal.
8. Port development shall provide opportunities for public access insofar as these opportunities do not interfere with the day-to-day operations of the port and the port authority and its tenants do not incur unreasonable costs.

Policy 4 The State Coastal Policy regarding development of smaller harbor areas is not applicable to Oswego.

Policy 5 ENCOURAGE THE LOCATION OF DEVELOPMENT IN AREAS WHERE PUBLIC SERVICES AND FACILITIES ESSENTIAL TO SUCH DEVELOPMENT ARE ADEQUATE, EXCEPT WHEN SUCH DEVELOPMENT HAS SPECIAL FUNCTIONAL REQUIREMENTS OR OTHER CHARACTERISTICS WHICH NECESSITATES ITS LOCATION IN OTHER COASTAL AREAS.

Explanation of Policy

By its construction, taxing, funding and regulatory powers, government has become a dominant force in shaping the course of development. Through these government actions, development, particularly large-scale development, in the Coastal Area will be encouraged to locate within, contiguous to, or in close proximity to, existing areas of concentrated development where infrastructure and public services are adequate, where topography, geology, and other environmental conditions are suitable for and able to accommodate development.

The above policy is intended to strengthen existing residential, industrial and commercial centers; foster an orderly pattern of growth where outward expansion is occurring; increase the productivity of existing public services and moderate the need to provide new public services in outlying areas; preserve open space in sufficient amounts and where desirable; foster energy conservation by

encouraging proximity between home, work, and leisure activities.

- POLICY 5A MAINTAIN AND, WHERE NECESSARY, IMPROVE PUBLIC SERVICES AND FACILITIES TO ASSURE CONTINUED ABILITY TO MEET EXISTING AND FUTURE NEEDS.
- POLICY 5B ENCOURAGE DEVELOPMENT TO OCCUR IN SUCH A MANNER AS TO ALLOW ADEQUATE WATERFRONT OPEN SPACE AND PUBLIC ACCESS TO THE WATERFRONT.
- POLICY 5C FOSTER ENERGY CONSERVATION BY ENCOURAGING PROXIMITY BETWEEN HOME, WORK AND LEISURE ACTIVITIES WITHIN THE MIXED-USE WATERFRONT REVITALIZATION AREA, WHICH HAS TRADITIONALLY CHARACTERIZED THE OSWEGO WATERFRONT.

Explanation of Policy

The City of Oswego constitutes an area of concentrated development where public facilities and services are available and adequate to meet the existing needs as well as foreseeable demands from future development. The criteria or guidelines for determining consistency with these policies include:

1. Streets and highways serving proposed development sites can adequately accommodate traffic generated by new activities.
2. Water needs for consumption, processing, cooling, and fire-fighting can be met by the water supply system.
3. Sewage and solid waste disposal systems can accommodate the wastes generated by new development.
4. Energy requirements of new activities can be accommodated.
5. Stormwater runoff from development sites can be accommodated by onsite and/or off-site facilities.
6. Schools, police and fire protection, and health and social services are adequate to meet the needs of the population expected to live, work, shop, visit, or conduct business in the City as a result of new development.

POLICY 6 **EXPEDITE PERMIT PROCEDURES IN ORDER TO FACILITATE THE SITING OF DEVELOPMENT ACTIVITIES AT SUITABLE LOCATIONS.**

Explanation of Policy

For specific types of development activities and in areas suitable for such development, State agencies and local governments participating in the Waterfront Revitalization Program will make every effort to coordinate and synchronize existing permit procedures and regulatory programs, as long as the integrity of the regulations' objectives is not jeopardized. These procedures and programs will be coordinated within each agency. Also, efforts will be made to ensure that each agency's procedures and programs are synchronized with other agencies' procedures at each level of government. Regulatory programs and procedures will be coordinated and synchronized between levels of government, and if necessary, legislative and/or programmatic changes will be recommended. When proposing new regulations, an agency will determine the feasibility of incorporating the regulations within existing procedures, if this reduces the burden on a particular type of development and will not jeopardize the integrity of the regulations' objectives.

POLICY 6A **IN ORDER TO FACILITATE THE SITING OF DEVELOPMENT PROJECTS AT SUITABLE LOCATIONS IN THE OSWEGO WATERFRONT AREA, THE CITY WILL CONTINUE ITS EFFORTS TO SIMPLIFY LOCAL DEVELOPMENT CONTROLS, CONSISTENT WITH OTHER STATE WATERFRONT REVITALIZATION AND COASTAL RESOURCES ACT POLICIES.**

POLICY 6B **WHEN PROPOSING NEW REGULATIONS, IF THIS IS FOUND NECESSARY, THE CITY WILL EXAMINE THE FEASIBILITY OF INCORPORATING THE REGULATIONS WITHIN EXISTING PROCEDURES, IF THIS REDUCES THE BURDEN ON A PARTICULAR TYPE OF DEVELOPMENT AND WILL NOT JEOPARDIZE THE INTEGRITY OF THE REGULATIONS' OBJECTIVES.**

POLICY 6C **WHEREVER POSSIBLE, WORK WITH COUNTY, STATE, AND FEDERAL AGENCIES TO IDENTIFY AND IMPLEMENT WAYS TO EXPEDITE PERMITTING PROCEDURES TO FACILITATE THE SITING OF DEVELOPMENT ACTIVITIES AT SUITABLE LOCATIONS.**

Explanation of Policy

The City of Oswego's efforts in expediting permit procedures are part of a much larger system for regulating development, which also includes County, State, and Federal government agencies. The City of Oswego wishes to encourage new development by continuing its efforts to reduce unnecessary regulatory requirements wherever possible. To be ultimately successful, the City's efforts must be matched by those at other levels of government, over which the City has no control. The State Waterfront Revitalization and Coastal Resources Act establishes a basis at the State level to achieve a synchronized and coordinated system of regulatory programs and procedures between levels of government.

For its part, the City of Oswego Local Waterfront Revitalization Program includes the identification of any needed changes to local land development laws and regulations. In addition, as possible areas for improving County, State, or federal level permitting procedures are identified at the local level, these will be brought to the attention of the Department of State and/or other appropriate agencies. The criteria or guidelines for determining consistency with these policies include:

1. Recommendations identified during the course of the Oswego LWRP to improve land development regulations in Oswego, such as, for example, amending the City's Zoning Ordinance, if needed.
2. Recommendations identified at the local or other governmental level for improving land development regulations, if needed.

FISH AND WILDLIFE POLICIES

POLICY 7 SIGNIFICANT COASTAL FISH AND WILDLIFE HABITATS, AS IDENTIFIED ON THE COASTAL AREA MAP, SHALL BE PROTECTED, PRESERVED AND, WHERE PRACTICAL, RESTORED SO AS TO MAINTAIN THEIR VIABILITY AS HABITATS.

Explanation of Policy

Habitat protection is recognized as fundamental to assuring the survival of fish and wildlife populations. Certain habitats are particularly critical to the maintenance of a given population and therefore merit special protection. Such habitats exhibit one or more of the following characteristics:

- o are essential to the survival of a large portion of a particular fish or wildlife population (e.g., feeding grounds, nursery areas);
- o support populations of rare and endangered species;
- o are found at a very low frequency within a coastal region;
- o support fish and wildlife populations having significant commercial and/or recreational value; and
- o would be difficult or impossible to replace.

In order to protect and preserve a significant habitat, land and water uses or development shall not be undertaken if such actions destroy or significantly impair the viability of an area as a habitat. The range of generic activities most likely to affect significant coastal fish and wildlife habitats include but are not limited to the following:

- o draining wetlands, ponds causing changes in vegetation, or changes in groundwater and surface water hydrology;
- o filling wetlands, shallow areas of streams, lakes, bays, estuaries which may change the physical character of substrate (e.g., sandy to muddy, or smother vegetation, alter surface water hydrology);

- o grading land resulting in vegetation removal, increased surface runoff, or increased soil erosion and downstream sedimentation;
- o clear cutting which may cause loss of vegetative cover, increased fluctuations in amount of surface runoff, or increased streambed scouring, soil erosion, sediment deposition;
- o dredging or excavation which may cause a change in substrate composition, possible release of contaminants otherwise stored in sediments, removal of aquatic vegetation, or changed circulation patterns and sediment transport mechanisms;
- o dredge spoil disposal which may induce shoaling of littoral areas or changed circulation patterns;
- o physical alteration of shore areas through channelization or construction of shore structure which may change volume and rate of flow or increase scouring/sedimentation; and
- o introduction, storage or disposal of pollutants such as chemical, petrochemical, solid wastes, nuclear wastes, toxic material, pesticide, sewage effluent, urban and rural runoff, leachate of hazardous and toxic substances stored in landfills which may cause increased mortality or sublethal effects on organisms, alter their reproductive capabilities, or reduce their value as food organisms.

POLICY 7A

AVOID OR PREVENT, INsofar AS POSSIBLE, ACTIVITIES ASSOCIATED WITH LAND USE OR DEVELOPMENT WHICH WOULD DESTROY OR SIGNIFICANTLY IMPAIR THE VIABILITY OF A HABITAT AREA, IN ORDER TO PRESERVE AND PROTECT SIGNIFICANT FISH AND WILDLIFE HABITATS IN THE OSWEGO COASTAL AREA.

Explanation of Policy

Within the City of Oswego coastal area several significant fish and wildlife habitats have been identified which need to be protected and preserved (see Figure 2, Section II). When a proposed land use or development project is likely to alter the biological, physical, or chemical parameters of fish and wildlife habitats beyond the tolerance range of organisms occupying the habitat, thereby significantly impairing or destroying the viability of that habitat, such use or project would be inconsistent with City policy. Indicators of a significantly impaired habitat may include: reduced carrying capacity, changes in food chain relationships or species diversity, reduced productivity and/or increased incidence of disease and mortality. The criteria or guidelines for determining consistency with these policies include:

1. Protection, preservation, or restoration of significant fish and wildlife habitats.
2. Enforcement of the State Environmental Quality Review Act requiring the preparation of an environmental impact statement for any action that is likely to have a significant impact upon the environment.

3. Enforcement of local land development regulations for controlling activities associated with land use or development which affect the viability of fish and wildlife habitats.
4. Enforcement of existing regulations to protect coastal areas.

POLICY 8

PROTECT FISH AND WILDLIFE RESOURCES IN THE COASTAL AREA FROM THE INTRODUCTION OF HAZARDOUS WASTES AND OTHER POLLUTANTS WHICH BIOACCUMULATE IN THE FOOD CHAIN OR WHICH CAUSE SIGNIFICANT SUBLETHAL OR LETHAL EFFECT ON THOSE RESOURCES.

Explanation of Policy

Hazardous wastes are unwanted by-products of manufacturing processes and are generally characterized as being flammable, corrosive, reactive, or toxic. More specifically, hazardous waste is defined in Environmental Conservation Law §27-0901(3) as "waste or combination of wastes which because of its quantity, concentration, or physical, chemical, or infectious characteristics may: (a) cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness; or (b) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed or otherwise managed."

The handling (storage, transport, treatment and disposal) of hazardous materials is being strictly regulated in New York State to prevent their entry or introduction into the environment, particularly into the State's air, land, and waters. Such controls should effectively minimize possible contamination of and bio-accumulation in the State's coastal fish and wildlife resources at levels that cause mortality or create physiological and behavioral disorders.

Other pollutants are those conventional wastes, generated from point and non-point sources, and not identified as hazardous wastes but controlled through other State laws.

POLICY 8A

PREVENT THE INTRODUCTION OF HAZARDOUS WASTES AND OTHER POLLUTANTS WHICH CAUSE A DETERIORATION IN FISH AND WILDLIFE RESOURCES.

POLICY 8B

MANAGE OR REGULATE WASTES HAVING THE POTENTIAL FOR CONTAMINATING FISH AND WILDLIFE HABITATS AND PROVIDE PROPER ENFORCEMENT OF EXISTING LOCAL REGULATIONS TO PROTECT HABITATS.

Explanation of Policy

The fish and wildlife resources in the Oswego area are included in State monitoring efforts to determine changes in levels of toxic materials or pollutants as well as in efforts to alleviate existing problems associated with the previous introduction of these materials to the environment. Although much of the responsibility

for controlling hazardous wastes and pollutants is at the State agency level, the city will exercise its local authority in support of State efforts. The criteria or guidelines for determining consistency with these policies include:

1. Actions undertaken as needed to manage or regulate wastes entering the environment.
2. Amendment, as necessary, of local regulations pertaining to hazardous wastes and pollutants.
3. Enforcement of existing local regulations to protect coastal areas.

POLICY 9 **EXPAND RECREATIONAL USE OF FISH AND WILDLIFE RESOURCES IN COASTAL AREAS BY INCREASING ACCESS TO EXISTING RESOURCES, SUPPLEMENTING EXISTING STOCKS AND DEVELOPING NEW RESOURCES. SUCH EFFORTS SHALL BE MADE, IN A MANNER WHICH ENSURES THE PROTECTION OF RENEWABLE FISH AND WILDLIFE RESOURCES AND CONSIDERS OTHER ACTIVITIES DEPENDENT ON THEM.**

Explanation of Policy

Recreational uses of coastal fish and wildlife resources include consumptive uses such as fishing and hunting, and non-consumptive uses such as wildlife photography, bird watching and nature study.

Any efforts to increase recreational use of these resources will be made in a manner which ensures the protection of fish and wildlife resources in marine and freshwater coastal areas and which takes into consideration other activities dependent on these resources. Also, such efforts must be done in accordance with existing State law and in keeping with sound resource management considerations. Such considerations include biology of the species, carrying capacity of the resource, public demand, costs and available technology, existing or future utilization of the State's recreational fish and wildlife resources, and potential for overutilization or impairment of the habitat.

POLICY 9A **EXPAND THE RECREATIONAL USE OF THE OSWEGO FISH AND WILDLIFE RESOURCES, INCLUDING THE FISHERY IDENTIFIED ON FIGURE 2, SECTION II, BY ASSISTING, WHERE FEASIBLE, IN IMPLEMENTING NEW WATERFRONT FACILITIES OR IMPROVEMENT OF EXISTING FACILITIES FOR FISHING AND BOATING ACTIVITIES.**

POLICY 9B **ENCOURAGE THE EXPANSION OF RECREATIONAL FACILITIES TO SUPPORT THE GROWTH OF THE TOURIST INDUSTRY.**

Explanation of Policy

The City of Oswego is, through a variety of State-level initiatives and local efforts, becoming established as an area with important recreational fish and wildlife resources. These efforts include

improvements to water quality, improved public access, and stocking of certain species. The facilities which are being planned or constructed for boating and fishing as well as more passive recreational enjoyment of the water are expected to permit substantially expanded use of the waterfront. The criteria or guidelines for determining consistency with these policies include:

1. Provision of public access to recreational use of fish and wildlife resources, while at the same time supporting adequate opportunities for other water-dependent or water-enhanced activities.
2. Provision of new facilities, or improvements to existing facilities, which allow for greater recreational use of fish and wildlife resources.
3. Expansion of the tourist industry.

POLICY 10 FURTHER DEVELOP COMMERCIAL FINFISH, SHELLFISH AND CRUSTACEAN RESOURCES IN THE COASTAL AREA.

Explanation of Policy

Commercial fishery development activities must occur within the context of sound fishery management principals developed and enforced within the State's waters by the New York State Department of Environmental Conservation and the management plans developed by the Regional Fisheries Management Councils (Mid-Atlantic and New England) and enforced by the U.S. National Marine Fisheries Service within the Fishery Conservation Zone. (The Fishery Conservation Zone is the area of coastal waters extending from the three-mile State waters boundary to the 200 mile offshore boundary of the U.S. waters. The Conservation Zone is authorized by the U.S. Fishery Conservation and Management Act of 1976.) Sound resource management considerations would include optimum sustained yield levels developed for specific commercial fish species, harvest restrictions imposed by State and Federal governments, and the economic, political (uses conflicts) and technological constraints to utilizing these resources.

The following guidelines should be considered by local, state and federal agencies as they determine the consistency of their proposed action with the above policy:

1. A public agency's commercial fishing development initiative should not preempt or displace private sector initiative.
2. A public agency's efforts to expand existing or create new on-shore commercial fishing support facilities should be directed towards unmet development needs rather than merely displacing existing commercial fishing activities from a nearby port. This may be accomplished by taking into consideration existing State or regional commercial fishing development plans.

3. Consideration should be made by local, state and federal agencies whether an action will impede existing utilization or future development of the State's commercial fishing resources.
4. Commercial fishing development efforts should be made in a manner which ensures the maintenance and protection of the renewable fishery resources.

FLOODING AND EROSION HAZARDS POLICIES

POLICY 11 BUILDINGS AND OTHER STRUCTURES WILL BE SITED IN THE COASTAL AREA SO AS TO MINIMIZE DAMAGE TO PROPERTY AND THE ENDANGERING OF HUMAN LIVES CAUSED BY FLOODING AND EROSION.

Explanation of Policy

On coastal lands identified as coastal erosion hazard areas, buildings and similar structures shall be set back from the shoreline a distance sufficient to minimize damage from erosion unless no reasonable prudent alternative site is available as in the case of piers, docks and other structures necessary to gain access to coastal waters to be able to function. The extent of the setback will be calculated, taking into account the rate at which land is receding due to erosion, and the protection provided by existing erosion protection structures as well as by natural protective features such as beaches, sandbars, nearshore areas, bluffs and wetlands. The only new structure allowed in coastal erosion hazard areas is a moveable structure as defined in Section 505.3(u) of the regulations for ECL, Article 34. Prior to its construction, an erosion hazard areas permit must be approved for the structure. Existing, non-conforming structures located in coastal erosion hazard areas may be only minimally enlarged.

In coastal lands identified as being subject to high velocity waters, a coastal high hazard area, walled and roofed buildings or fuel storage tanks shall be sited landward of mean high tide; and no mobile home shall be sited in such area. In coastal lands identified as floodways, no mobile homes shall be sited other than in existing mobile home parks.

Where human lives may be endangered by major coastal storms, all necessary emergency preparedness measures should be taken, including disaster preparedness planning.

POLICY 11A ON COASTAL LANDS IDENTIFIED AS EROSION HAZARD AREAS IN THE CITY OF OSWEGO, BUILDINGS AND OTHER STRUCTURES PROPOSED FOR CONSTRUCTION SHALL BE SET BACK OR OTHERWISE SITED SUFFICIENT TO MINIMIZE DAMAGE FROM EROSION. STRUCTURES SUCH AS PIERS, DOCKS, AND ACCESS WAYS NECESSARY FOR THE USE OF THE WATER WILL BE PLACED SO AS TO MINIMIZE EROSION PROBLEMS. IN COASTAL AREAS OF THE CITY SUBJECT TO STORM WAVE WASH FROM HIGH VELOCITY WATERS, ADEQUATE MEASURES WILL BE UTILIZED TO MINIMIZE DANGERS TO STRUCTURES OR PEOPLE FROM COASTAL STORM HAZARDS.

POLICY 11B IN AREAS IDENTIFIED AS FLOODWAYS, ADEQUATE MEASURES WILL BE UTILIZED TO MINIMIZE DANGERS TO STRUCTURES OR PEOPLE FROM FLOOD WATERS.

Explanation of Policy

The City of Oswego has areas of critical erosion and flood plains, principally along the exposed Ontario Lakeshore. The existing development is such that there are minimal immediate dangers to life or property. As development in the waterfront takes place, the City will continue its efforts to avoid coastal area dangers from erosion and flooding. In minimizing these dangers, emphasis will be placed on the use of non-structural measures wherever possible, such as adequate setbacks, vegetative cover and floodproofing or elevation of structures. The criteria or guidelines to be used for determining consistency with this policy include:

1. Mitigating measures to avoid erosion or flooding dangers.
2. Mitigating structural or non-structural protective measures to avoid erosion or flooding dangers.

POLICY 12 ACTIVITIES OR DEVELOPMENT IN THE COASTAL AREA WILL BE UNDERTAKEN SO AS TO MINIMIZE DAMAGE TO NATURAL RESOURCES AND PROPERTY FROM FLOODING AND EROSION BY PROTECTING NATURAL PROTECTIVE FEATURES INCLUDING BEACHES, DUNES, BARRIER ISLANDS, AND BLUFFS. PRIMARY DUNES WILL BE PROTECTED FROM ALL ENCROACHMENTS THAT COULD IMPAIR THEIR NATURAL PROTECTIVE CAPACITY.

Explanation of Policy

Beaches, dunes, barrier islands, bluffs, and other natural protective features help safeguard coastal lands and property from damage, as well as reduce the danger to human life, resulting from flooding and erosion. Excavation of coastal features, improperly designed structures, inadequate site planning, or other similar actions which fail to recognize their fragile nature and high protective values, lead to the weakening or destruction of those landforms. Activities or development in, or in proximity to, natural protective features must ensure that all such adverse effects are minimized. Primary dunes will be protected from all encroachments that could impair their natural protective capacity.

POLICY 13 THE CONSTRUCTION OR RECONSTRUCTION OF EROSION PROTECTION STRUCTURES SHALL BE UNDERTAKEN ONLY IF THEY HAVE A REASONABLE PROBABILITY OF CONTROLLING EROSION FOR AT LEAST 30 YEARS AS DEMONSTRATED IN DESIGN AND CONSTRUCTION STANDARDS AND/OR ASSURED MAINTENANCE OR REPLACEMENT PROGRAMS.

Explanation of Policy

Erosion protection structures are widely used throughout the State's coastal area. However because of improper design, construction and maintenance standards, many fail to give the protection which they were presumed to provide. As a result, development is sited in areas where it is subject to damage or loss due to erosion. This policy will help ensure the reduction of such damage or loss.

- POLICY 14** **ACTIVITIES AND DEVELOPMENT, INCLUDING THE CONSTRUCTION OR RECONSTRUCTION OF EROSION PROTECTION STRUCTURES, SHALL BE UNDERTAKEN SO THAT THERE WILL BE NO MEASURABLE INCREASE IN EROSION OR FLOODING AT THE SITE OF SUCH ACTIVITIES OR DEVELOPMENT OR AT OTHER LOCATIONS.**

Explanation of Policy

Erosion and flooding are processes which occur naturally. However, by his actions, man can increase the severity and adverse effects of those processes, causing damage to, or loss of property, and endangering human lives. Those actions include: the use of erosion protection structures such as groins, or the use of impermeable docks which block the littoral transport of sediment to adjacent shorelands, thus increasing their rate of recession; the failure to observe proper drainage or land restoration practices, thereby causing run-off and the erosion and weakening of shorelands; and the placing of structures in identified floodways so that the base flood level is increased causing damage in otherwise hazard-free areas.

- POLICY 15** **MINING, EXCAVATION, OR DREDGING IN COASTAL WATERS SHALL NOT SIGNIFICANTLY INTERFERE WITH THE NATURAL COASTAL PROCESSES WHICH SUPPLY BEACH MATERIALS TO LAND ADJACENT TO SUCH WATERS AND SHALL BE UNDERTAKEN IN A MANNER WHICH WILL NOT CAUSE AN INCREASE IN EROSION OF SUCH LAND.**

Explanation of Policy

Coastal processes, including the movement of beach materials by water, and any mining, excavation or dredging in nearshore or offshore waters which changes the supply and net flow of such materials can deprive shorelands of their natural regenerative powers. Such mining, excavation and dredging should be accomplished in a manner so as not to cause a reduction of supply, and thus an increase of erosion, to such shorelands. Offshore mining is a future alternative option to land mining for sand and gravel deposits which are needed to support building and other industries.

POLICY 16

PUBLIC FUNDS SHALL ONLY BE USED FOR EROSION PROTECTIVE STRUCTURES WHERE NECESSARY TO PROTECT HUMAN LIFE, AND NEW DEVELOPMENT WHICH REQUIRES A LOCATION WITHIN OR ADJACENT TO AN EROSION HAZARD AREA TO BE ABLE TO FUNCTION, OR EXISTING DEVELOPMENT; AND ONLY WHERE THE PUBLIC BENEFITS OUTWEIGH THE LONG-TERM MONETARY AND OTHER COSTS INCLUDING THE POTENTIAL FOR INCREASING EROSION AND ADVERSE EFFECTS ON NATURAL PROTECTIVE FEATURES.

Explanation of Policy

Public funds are used for a variety of purposes on the State's shorelines. This policy recognizes the public need for the protection of human life and existing investment in development or new development which requires a location in proximity to the coastal area or in adjacent waters to be able to function. However it also recognizes the adverse impacts of such activities and development on the rate of erosion and on natural protective features and requires that careful analysis be made of such benefits and long-term costs prior to expending public funds.

POLICY 17

WHENEVER POSSIBLE, USE NONSTRUCTURAL MEASURES TO MINIMIZE DAMAGE TO NATURAL RESOURCES AND PROPERTY FROM FLOODING AND EROSION.

Explanation of Policy

This policy recognizes both the potential adverse impacts of flooding and erosion upon development and upon natural protective features in the coastal area as well as the costs of protection against those hazards which structural measures entail.

"Non-structural measures" shall include, but not be limited to:
(1) within coastal erosion hazard areas identified under Section 34-104, Coastal Erosion Hazard Areas Act (Article 34, Environmental Conservation Law), and subject to the permit requirements on all regulated activities and development established under that law,
(a) the use of minimum setbacks as provided for in Section 34-108; and (b) the strengthening of coastal landforms by the planting of appropriate vegetation on dunes and bluffs, the installation of sand fencing on dunes, the reshaping of bluffs to achieve an appropriate angle of repose so as to reduce the potential for slumping and to permit the planting of stabilization vegetation, and the installation of drainage systems on bluffs to reduce runoff and internal seepage of waters which erode or weaken the landforms; and (2) within identified flood hazard areas, (a) the avoidance of risk or damage from flooding by the siting of buildings outside the hazard area, and (b) the flood-proofing of buildings or their elevation about the base flood level.

This policy shall apply to the planning, siting and design of proposed activities and development, including measures to protect existing activities and development. To ascertain consistency with

the policy, it must be determined if any one, or a combination of, non-structural measures would afford the degree of protection appropriate both to the character and purpose of the activity or development, and to the hazard. If non-structural measures are determined to offer sufficient protection, then consistency with the policy would require the use of such measures, whenever possible.

In determining whether or not non-structural measures to protect against erosion or flooding will afford the degree of protection appropriate, an analysis, and if necessary, other materials such as plans or sketches of the activity or development, of the site and of the alternative protection measures should be prepared to allow an assessment to be made.

GENERAL POLICY

POLICY 18 TO SAFEGUARD THE VITAL ECONOMIC, SOCIAL AND ENVIRONMENTAL INTERESTS OF THE STATE AND OF ITS CITIZENS, PROPOSED MAJOR ACTIONS IN THE COASTAL AREA MUST GIVE FULL CONSIDERATION TO THOSE INTERESTS, AND TO THE SAFEGUARDS WHICH THE STATE HAS ESTABLISHED TO PROTECT VALUABLE COASTAL RESOURCE AREAS.

Explanation of Policy

Proposed major actions may be undertaken in the coastal area if they will not significantly impair valuable coastal waters and resources, thus frustrating the achievement of the purposes of the safeguards which the State has established to protect those waters and resources. Proposed actions must take into account the social, economic and environmental interests of the State and its citizens in such matters that would affect natural resources, water levels and flows, shoreline damage, hydroelectric power generation, and recreation.

PUBLIC ACCESS POLICIES

POLICY 19 PROTECT, MAINTAIN AND INCREASE THE LEVELS AND TYPES OF ACCESS TO PUBLIC WATER-RELATED RECREATION RESOURCES AND FACILITIES SO THAT THESE RESOURCES AND FACILITIES MAY BE FULLY UTILIZED BY ALL THE PUBLIC IN ACCORDANCE WITH REASONABLY ANTICIPATED PUBLIC RECREATION NEEDS AND THE PROTECTION OF HISTORIC AND NATURAL RESOURCES. IN PROVIDING SUCH ACCESS, PRIORITY SHALL BE GIVEN TO PUBLIC BEACHES, BOATING FACILITIES, FISHING AREAS AND WATERFRONT PARKS.

Explanation of Policy

This policy calls for achieving balance among the following factors: the level of access to a resource or facility, the capacity of a resource or facility, and the protection of natural resources. The imbalance among these factors is the most significant in the State's urban areas. Because this is often due to access-related problems, priority will be given to improving

physical access to existing and potential coastal recreation sites within the heavily populated urban coastal areas of the State and to increasing the ability of urban residents to get to coastal recreation areas by improved public transportation. The particular water-related recreation resources and facilities which will receive priority for improved access are public beaches, boating facilities, fishing areas and waterfront parks. In addition, because of the greater competition for waterfront locations within urban areas, the Coastal Management Program will encourage mixed use areas and multiple use of facilities to improve access.

POLICY 19A MAINTAIN AND REPAIR, AS NEEDED, THOSE FACILITIES UNDER LOCAL GOVERNMENT CONTROL WHICH AFFECT PUBLIC USE OF THE WATERFRONT AND PROVIDE NECESSARY SAFETY AND SANITATION SERVICES FOR AREAS UNDER LOCAL JURISDICTION.

Explanation of Policy

The City of Oswego has as one of its major objectives the increased use of the waterfront by the public. The City seeks to improve existing access, as shown on Figure 6, Section II, and establish new areas for public recreational use of the waterfront resources. The term "access" is used to mean the public's ability to use the waterfront area either actively, such as for boating and fishing, or passively, such as for sitting or walking along the water's edge. The term "public lands or facilities" is used to mean state or local government property to which the public has, or could have, access. Such property may be held in fee simple or less than fee simple. The term "public water-related recreation resources" is used to mean all public lands or facilities that are suitable for passive or active recreation that requires either water or a waterfront location or is enhanced by a waterfront location. The criteria or guidelines to be used for determining consistency with this policy include:

1. The existing access from adjacent or proximate lands or facilities to public water-related recreation resources and facilities shall not be reduced, nor shall the possibility of increasing access in the future from adjacent or proximate public lands or facilities be eliminated unless, in the latter case, estimates of future use of these resources and facilities are too low to justify maintaining or providing increased public access.
2. Any proposed project to increase public access to public water-related recreation resources and facilities shall be analyzed according to the following factors:
 - o The level of access to be provided should be in accord with estimated public use. If not, the proposed level of access to be provided shall be deemed inconsistent with the policy.

- o The level of access to be provided shall not cause a degree of use which would exceed the physical capability of the resource or facility. If this were determined to be the case, the proposed level of access to be provided shall be deemed inconsistent with the policy.
3. The State will not undertake or fund any project which increases access to a water-related resource or facility that is not open to all members of the public.

POLICY 20

ACCESS TO THE PUBLICLY OWNED FORESHORE AND TO LANDS IMMEDIATELY ADJACENT TO THE FORESHORE OR THE WATER'S EDGE THAT ARE PUBLICLY OWNED SHALL BE PROVIDED, AND SHALL BE PROVIDED IN A MANNER COMPATIBLE WITH ADJOINING USES. SUCH LANDS SHALL BE RETAINED IN PUBLIC OWNERSHIP.

Explanation of Policy

In coastal areas where there are little or no recreation facilities providing specific water-related recreational activities, access to the publicly owned lands of the coast at large should be provided for numerous activities and pursuits which require only minimal facilities for their enjoyment. Such access would provide for walking along a beach or a city waterfront or to a vantage point from which to view the seashore. Similar activities requiring access would include bicycling, birdwatching, photography, nature study, beachcombing, fishing, and hunting.

For those activities, there are several methods of providing access which will receive priority attention of the Coastal Management Program. These include: the development of a coastal trails system; the provision of access across transportation facilities to the coast; the improvement of access to waterfronts in urban areas; and the promotion of mixed and multi-use development.

While such publicly owned lands referenced in the policy shall be retained in public ownership, traditional sales of easements on lands underwater to adjacent onshore property owners are consistent with this policy, provided such easements do not substantially interfere with continued public use of the public lands on which the easement is granted. Also, public use of such publicly owned underwater lands and lands immediately adjacent to the shore shall be discouraged where such use would be inappropriate for reasons of public safety, military security, or the protection of fragile coastal resources. The following guidelines will be used in determining consistency of a proposed action with this policy:

1. Existing access from adjacent or proximate public lands or facilities to existing public coastal lands and/or waters shall not be reduced, nor shall the possibility of increasing access in the future from adjacent or nearby public lands or facilities to public coastal lands and/or waters be eliminated, unless such actions are demonstrated to be of overriding regional or

statewide public benefit, or in the latter case, estimates of future uses of these lands and waters are too low to justify maintaining or providing increased access. The following is an explanation of the terms used in the above guidelines:

- a. (See definitions under first policy of "access", and "public lands or facilities").
 - b. A reduction in the existing level of public access includes, but is not limited to, the following:
 - (1) Pedestrian access is diminished or eliminated because of hazardous crossings required at new or altered transportation facilities, electric power transmission lines, or similar linear facilities.
 - (2) Pedestrian access is diminished or blocked completely by public or private development.
 - c. An elimination of the possibility of increasing public access in the future includes, but is not limited to, the following:
 - (1) Construction of public facilities which physically prevent the provision, except at great expense, of convenient public access to public coastal lands and/or waters.
 - (2) Sale, lease, or other conveyance of public lands that could provide public access to public coastal lands and/or waters
 - (3) Construction of private facilities which physically prevent the provision of convenient public access to public coastal lands and/or waters from public lands and facilities.
2. The existing level of public access within public coastal lands or waters shall not be reduced or eliminated.
- a. A reduction or elimination in the existing level of public access includes, but is not limited to, the following:
 - (1) Access is reduced or eliminated because of hazardous crossings required at new or altered transportation facilities, electric power transmission lines, or similar linear facilities.
 - (2) Access is reduced or blocked completely by any public development.
3. Public access from the nearest public roadway to the shoreline and along the coast shall be provided by new land use or development except where: (a) it is inconsistent with public safety, military security, or the protection of identified

fragile coastal resources; (b) adequate access exists within one-half mile; or (c) agriculture would be adversely affected. Such access shall not be required to be open to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.

4. The State will not undertake or fund any project which increases access to a water-related resource or facility that is not open to all members of the public.
5. In their plans and programs for increasing public access, State agencies shall give priority in the following order to projects located: within the boundaries of the Federal Aid Metropolitan Urban Area and served by public transportation; within the FAMUA but not served by public transportation; outside the defined Urban Area boundary and served by public transportation; and outside the defined Urban Area boundary but not served by public transportation.
6. Proposals for increased public access to coastal lands and waters shall be analyzed according to the following factors:
 - a. The level of access to be provided should be in accord with estimated public use. If not, the proposed level of access to be provided shall be deemed inconsistent with the policy.
 - b. The level of access to be provided shall not cause a degree of use which would exceed the physical capability of the coastal lands or waters. If this were determined to be the case, the proposed level of access to be provided shall be deemed inconsistent with the policy.

POLICY 20A OBTAIN PUBLIC ACCESS TO THE FORESHORE THROUGH THE USE OF EASEMENTS, LAND PURCHASE, OR OTHER APPROPRIATE MEASURES WHERE NECESSARY AND FEASIBLE.

Explanation of Policy

The City of Oswego is fortunate in having a substantial amount of foreshore accessible to the public, with over 75% of the shore held in public ownership. The use and accessibility of additional foreshore areas will be increased upon completion of revitalization and improvement efforts along the West Bank and Wright's Landing. Subsequent revitalization efforts may identify additional need for public access points. Wherever feasible, the City will seek to obtain additional public access as needed. The criteria or guidelines for determining consistency with these policies include:

1. Preservation of existing public access to the Oswego foreshore.

RECREATION POLICIES

POLICY 21 WATER-DEPENDENT AND WATER-ENHANCED RECREATION SHALL BE ENCOURAGED AND FACILITATED AND SHALL BE GIVEN PRIORITY OVER NONWATER-RELATED USES ALONG THE COAST, PROVIDED IT IS CONSISTENT WITH THE PRESERVATION AND ENHANCEMENT OF OTHER COASTAL RESOURCES AND TAKES INTO ACCOUNT DEMAND FOR SUCH FACILITIES. IN FACILITATING SUCH ACTIVITIES, PRIORITY SHALL BE GIVEN TO AREAS WHERE ACCESS TO THE RECREATION OPPORTUNITIES OF THE COAST CAN BE PROVIDED BY NEW OR EXISTING PUBLIC TRANSPORTATION SERVICES AND TO THOSE AREAS WHERE THE USE OF THE SHORE IS SEVERELY RESTRICTED BY EXISTING DEVELOPMENT.

Explanation of Policy

Water-related recreation includes such obviously water-dependent activities as boating, swimming, and fishing as well as certain activities which are enhanced by a coastal location and increase the general public's access to the coast such as pedestrian and bicycle trails, picnic areas, scenic overlooks and passive recreation areas that take advantage of coastal scenery.

Provided the development of water-related recreation is consistent with the preservation and enhancement of such important coastal resources as fish and wildlife habitats, aesthetically significant areas, historic and cultural resources, agriculture and significant mineral and fossil deposits, and provided demand exists, water-related recreation development is to be increased and such uses shall have a higher priority than any non-coastal dependent uses, including nonwater-related recreation uses. In addition, water-dependent recreation uses shall have a higher priority over water-enhanced recreation uses. Determining a priority among coastal-dependent uses will require a case-by-case analysis.

Among priority areas for increasing water-related recreation opportunities are those areas where access to the recreation opportunities of the coast can be provided by new or existing public transportation services and those areas where the use of the shore is severely restricted by highways, railroads, industry, or other forms of existing intensive land use or development. The DOS, working with the Office of Parks, Recreation, and Historic Preservation and with local governments, will identify communities whose use of the shore has been so restricted and those sites shoreward of such developments which are suitable for recreation and can be made accessible. Priority shall be given to recreational development of such lands.

The siting or design of new public development in a manner which would result in a barrier to the recreational use of a major portion of a community's shore should be avoided as much as practicable.

Among the types of water-dependent recreation, provision of adequate boating services to meet future demand is to be encouraged by this Program. The siting of boating facilities must be consistent with preservation and enhancement of other coastal resources and with their capacity to accommodate demand. The provision of new public boating facilities is essential in meeting this demand, but such public actions should avoid competition with private boating development. Boating facilities will, as appropriate, include parking, park-like surroundings, toilet facilities, and pumpout facilities. Harbors of Refuge are particularly needed along Lake Erie and Lake Ontario. There is a need for a better locational pattern of boating facilities to correct problems of overused, insufficient, or improperly sited facilities.

Also to be encouraged is non-motorized recreation in the State's coastal area. Water-related off-road recreational vehicle use is an acceptable activity, provide no adverse environmental impacts occur. Where adverse environmental impacts will occur, mitigating measures will be implemented, where practicable to minimize such adverse impacts. If acceptable mitigation is not practicable, prohibition of the use by off-road recreational vehicles will be posted and enforced.

- POLICY 21A** PROVIDE OPPORTUNITIES FOR WATER-RELATED RECREATION SUCH AS BOATING AND FISHING AS WELL AS RECREATIONAL ACTIVITIES WHICH ARE ENHANCED BY A COASTAL LOCATION SUCH AS PEDESTRIAN AND JOGGING PATHS, PICNIC AREAS, AND SCENIC VIEWS.
- POLICY 21B** PROVIDE FOR THE INTEGRATION OF RECREATIONAL AND OTHER WATER-DEPENDENT OR WATER-ENHANCED ACTIVITIES IN THE OSWEGO WATERFRONT AREA.
- POLICY 21C** CONTINUE TO MAINTAIN ADEQUATE TRANSPORTATION FACILITIES SERVING WATER-RELATED RECREATIONAL NEEDS.

Explanation of Policy

The City of Oswego has experienced a substantial increase in opportunities for water-related recreation, both publicly and privately sponsored. Additional facilities for recreational use will be made available upon completion of State-sponsored construction along the West Bank and Wright's Landing. The criteria or guidelines for determining consistency with these policies include:

1. Preservation of existing water-related recreational activity.
2. Provision of adequate transportation facilities serving recreational activities.
3. Provision of additional water-related recreational activities as opportunities arise.

POLICY 22 **DEVELOPMENT, WHEN LOCATED ADJACENT TO THE SHORE, SHALL PROVIDE FOR WATER-RELATED RECREATION, AS A MULTIPLE USE, WHENEVER SUCH RECREATIONAL USE IS APPROPRIATE IN LIGHT OF REASONABLY ANTICIPATED DEMAND FOR SUCH ACTIVITIES AND THE PRIMARY PURPOSE OF THE DEVELOPMENT.**

Explanation of Policy

Many developments present practical opportunities for providing recreation facilities as an additional use of the site or facility. Therefore, whenever developments are located adjacent to the shore, they should to the fullest extent permitted by existing law provide for some form of water-related recreation use unless there are compelling reasons why any form of such recreation would not be compatible with the development, or a reasonable demand for public use cannot be foreseen. The types of development which can generally provide water-related recreation as a multiple use include but are not limited to parks, highways, power plants, utility transmission rights of way, sewage treatment facilities, health facilities, hospitals, prisons, schools, universities, military facilities, nature preserves, large residential subdivisions, shopping centers, and office buildings.

Prior to taking action relative to any development, State agencies should consult with the State Office of Parks, Recreation, and Historic Preservation and with the municipality in which the development is to locate to determine appropriate recreation uses. The agency should provide OPRHP and the municipality with the opportunity to participate in project planning.

Appropriate recreation uses which do not require any substantial additional construction shall be provided at the expense of the project sponsor provided the cost does not exceed 2% of total project cost.

In determining whether compelling reasons exist which would make inadvisable recreation as a multiple use, safety considerations should reflect a recognition that some risk is acceptable in the use of recreational facilities.

Whenever a proposed development would be consistent with CMP policies and the development could, through the provision of recreation and other multiple uses, significantly increase public use of the shore, then such development should be encouraged to locate adjacent to the shore (this situation would generally only apply within the more developed portions of urban areas).

POLICY 22A **ENCOURAGE THE EXPANSION OF WATER-RELATED RECREATIONAL FACILITIES TO SUPPORT THE GROWTH OF THE TOURIST INDUSTRY.**

Explanation of Policy

The limited size of waterfront area available in Oswego requires that a mixture of activities be properly integrated to adequately serve a variety of needs. Wherever feasible, a multiple use of sites is desirable, and Oswego is now demonstrating how this can be achieved in the planning for recreational use of land above a storm water interceptor along the West Bank. Other multiple uses of sites will be sought during waterfront revitalization efforts. The criteria or guidelines to be used for policy evaluation include:

1. Maintenance of existing multiple use of waterfront sites for recreational purposes.
2. Provision of additional waterfront multiple use sites for recreational activities as feasible.
3. Support for the recreational facilities needed to expand the tourist industry.

POLICY 23

PROTECT, ENHANCE AND RESTORE STRUCTURES, DISTRICTS, AREAS OR SITES THAT ARE OF SIGNIFICANCE IN THE HISTORY, ARCHITECTURE, ARCHEOLOGY OR CULTURE OF THE STATE, ITS COMMUNITIES OR THE NATION.

Explanation of Policy

Among the most valuable of the State's man-made resources are those structures on areas which are of historic, archeological, or cultural significance. The protection of these structures must involve a recognition of their importance by all agencies and the ability to identify and describe them. Protection must include concern not just with specific sites but with areas of significance, and with the area around specific sites. The policy is not to be construed as a passive mandate but must include active efforts when appropriate to restore or revitalize through adaptive reuse. While the program is concerned with the preservation of all such resources within the coastal boundary, it will actively promote the preservation of historic and cultural resources which have a coastal relationship.

The structures, districts, areas or sites that are of significance in the history, architecture, archeology or culture of the State, its communities, or the nation comprise the following resources:

- o a resource which is in a Federal or State park established, among other reasons, to protect and preserve the resource;
- o a resource on, nominated to be on, or determined eligible to be on the National or State Registers of Historic Places;
- o a resource on or nominated to be on the State Nature and Historic Preserve Trust;
- o an archeological resource which is on the State Department of Education's inventory of archeological sites;

- o a local landmark, park, or locally designated historic district that is located within the boundary of an approved local waterfront revitalization program; or
- o a resource that is a significant component of an Urban Cultural Park.

All practicable means to protect structures, districts, areas or sites that are of significance in the history, architecture, archeology or culture of the State, its communities or the nation shall be deemed to include the consideration and adoption of any techniques, measures, or controls to prevent a significant adverse change to such significant structures, districts, areas or sites. A significant adverse change includes but is not limited to:

- o Alteration of or addition to one or more of the architectural, structural, ornamental or functional features of a building, structure, or site that is a recognized historic, cultural, or archeological resource, or component thereof. Such features are defined as encompassing the style and general arrangement of the exterior of a structure and any original or historically significant interior features including type, color and texture of building materials; entry ways and doors; fenestration; lighting fixtures; roofing; sculpture and carving; steps, rails; fencing; windows; vents and other openings; grillwork; signs, canopies; and other appurtenant fixtures and, in addition, all buildings, structures outbuildings, walks, fences, steps, topographical features, earthworks, paving and signs located on the designated resource property. (To the extent they are relevant, the Secretary of the Interior's "Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" shall be adhered to.)
- o Demolition or removal in full or part of a building, structure, or earthworks that is a recognized historic, cultural, or archeological resource or component thereof, to include all those features described in the above paragraph, plus any other appurtenant fixtures associated with a building structure or earthwork.
- o All proposed actions within 500 feet of the perimeter of the property boundary of the historic, architectural, cultural, or archeological resource and all actions within an historic district that would be incompatible with the objective of preserving the quality and integrity of the resource. Primary considerations to be used in making judgement about compatibility should focus on the visual and locational relationship between the proposed action and the special character of the historic, cultural, or archeological resource. Compatibility between the proposed action and the resource means that the general appearance of the resource should be reflected in the architectural

style, design material, scale, proportion, composition, mass, line, color, texture, detail, setback, landscaping and related items of the proposed actions. With historic districts this would include infrastructure improvements or changes, such as, streets and sidewalk paving, street furniture and lighting.

This policy shall not be construed to prevent the construction, reconstruction, alteration, or demolition of any building, structure, earthwork, or component thereof of a recognized historic, cultural or archeological resource which has been officially certified as being imminently dangerous to life or public health. Nor shall the policy be construed to prevent the ordinary maintenance, repair, or proper restoration according to the U.S. Department of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings of any building, structure, site or earthwork, or component thereof of a recognized historic, cultural or archeological resource which does not involve a significant adverse change to the resource, as defined above.

POLICY 23A MAINTAIN AND RESTORE OSWEGO'S HISTORIC HERITAGE FOUND AT MANY LOCATIONS IN AND AROUND THE WATERFRONT AREA, PARTICULARLY THOSE SITES SHOWN IN SECTION II, FIGURE 5.

POLICY 23B MAINTAIN AND ENHANCE OSWEGO'S TRADITIONAL LINKS BETWEEN HISTORIC AREAS OF DOWNTOWN OSWEGO AND THE WATERFRONT.

Explanation of Policy

Much of Oswego's historic and cultural significance is directly related to its waterfront. The protection and enhancement of numerous sites in and around the waterfront noted on Figure 5, Section II, has a strong influence on waterfront revitalization efforts being undertaken. The criteria or guidelines for determining consistency with these policies include:

1. Conservation and rehabilitation efforts to maintain physical linkages with Oswego's past.
2. Integration of areas or sites having historic or cultural significance with a revitalized waterfront.

Given the possibility of archeologically significant sites in the Oswego waterfront area, government agencies proposing a permitting or development action will contact the New York State Office of Parks, Recreation and Historic Preservation, Division of Historic Preservation, for procedures to follow with respect to a given site. The Oswego West Side Archeological District is shown in Figure 5, Section II.

SCENIC QUALITY POLICIES

- POLICY 24 The State Coastal Policy regarding scenic resources of statewide significance is not applicable to Oswego.
- POLICY 25 PROTECT, RESTORE AND ENHANCE NATURAL AND MAN-MADE RESOURCES WHICH ARE NOT IDENTIFIED AS BEING OF STATEWIDE SIGNIFICANCE, BUT WHICH CONTRIBUTE TO THE SCENIC QUALITY OF THE COASTAL AREA.
- POLICY 25A PROTECT AND ENHANCE SCENIC RESOURCES IN OSWEGO, BOTH NATURAL AND MAN-MADE HAVING LOCAL SIGNIFICANCE AS IDENTIFIED IN SECTION II, Figure 2.

Explanation of Policy

When considering a proposed action, which would affect these scenic resources, agencies shall ensure that the action would be undertaken so as to protect, restore or enhance the overall scenic quality of the coastal area. Activities which could impair or further degrade scenic quality are:

- ° the irreversible modification of geologic forms; the destruction, or removal of vegetation; the modification, destruction or removal of structures, whenever the geologic forms, vegetation or structures are significant to the scenic quality of an identified resource; and
- ° the addition of structures which because of siting or scale will reduce identified views or which because of scale, form, or materials, will diminish the scenic quality of an identified resource.

Important local scenic resources within the Oswego Waterfront Revitalization Area include scenic vistas, as shown on Figure 2, Section II, and historic resources, as shown on Figure 5, Section II.

1. The following siting and facility related guidelines are to be used to achieve this policy, recognizing that each development situation is unique and that the guidelines will have to be applied accordingly. The guidelines include:
 - ° siting structures and other development such as signs back from the shoreline or in other inconspicuous locations to maintain the attractive quality of the shoreline and to retain views to and from the shore;
 - ° clustering or orienting structures to retain views, save open space, and provide visual organization to a development;
 - ° incorporating sound, existing structures, especially historic buildings, into the overall development scheme;

- o removing deteriorated and/or degrading elements;
- o maintaining or restoring the original land form, except when changes screen unattractive elements and/or appropriate interest;
- o maintaining or adding vegetation to provide interest, blend structures into the site, and obscure unattractive elements, except when selective clearing removes unsightly diseased or hazardous vegetation and when selective clearing creates views of coastal waters;
- o using appropriate materials, in addition to vegetation, to screen unattractive elements; and
- o using appropriate scales, forms and materials to ensure that buildings and other structures are compatible with and add interest to the landscape.

AGRICULTURAL LANDS POLICY

POLICY 26 The State Coastal Policy regarding agricultural lands is not applicable to Oswego.

ENERGY AND ICE MANAGEMENT POLICIES

POLICY 27 NOT INCLUDED IN THE LOCAL PROGRAM.¹

POLICY 28 ICE MANAGEMENT PRACTICES SHALL NOT DAMAGE SIGNIFICANT FISH AND WILDLIFE AND THEIR HABITATS, INCREASE SHORELINE EROSION OR FLOODING, OR INTERFERE WITH THE PRODUCTION OF HYDROELECTRIC POWER.

Explanation of Policy

Prior to undertaking actions required for ice management, an assessment must be made of the potential effects of such actions upon the production of hydroelectric power, fish and wildlife and their habitats as will be identified in the Coastal Area Maps, flood levels and damage, rates of shoreline erosion damage, and upon natural protective features.

Following such an examination, adequate methods of avoidance or mitigation of such potential effects must be utilized if the proposed action is to be implemented.

POLICY 29 NOT INCLUDED IN THE LOCAL PROGRAM.¹

WATER AND AIR RESOURCES POLICIES

POLICY 30 MUNICIPAL, INDUSTRIAL, AND COMMERCIAL DISCHARGE OF POLLUTANTS, INCLUDING BUT NOT LIMITED TO, TOXIC AND HAZARDOUS SUBSTANCES INTO COASTAL WATERS WILL CONFORM TO STATE AND NATIONAL WATER QUALITY STANDARDS.

Explanation of Policy

Municipal, industrial and commercial discharges include not only "end-of-the pipe" discharges into surface and groundwater but also plant site runoff, leaching, spillages, sludge and other waste disposal, and drainage from raw material storage sites. Also the regulated industrial discharges are both those which directly empty into receiving coastal waters and those which pass through municipal treatment systems before reaching the State's waterways.

POLICY 31 **STATE COASTAL AREA POLICIES AND PURPOSES OF APPROVED LOCAL WATERFRONT REVITALIZATION PROGRAMS WILL BE CONSIDERED WHILE REVIEWING COASTAL WATER CLASSIFICATIONS AND WHILE MODIFYING WATER QUALITY STANDARDS; HOWEVER, THOSE WATERS ALREADY OVERBURDENED WITH CONTAMINANTS WILL BE RECOGNIZED AS BEING A DEVELOPMENT CONSTRAINT.**

Explanation of Policy

Pursuant to the Federal Clean Water Act of 1977 (PL 95-217) the State has classified its coastal and other waters in accordance with considerations of best usage in the interest of the public and has adopted water quality standards for each class of waters. These classifications and standards are reviewable at least every three years for possible revision or amendment. Local Waterfront Revitalization Programs and State coastal management policies shall be factored into the review process for coastal waters. However, such consideration shall not affect any water pollution control requirement established by the State pursuant to the Federal Clean Water Act.

The State has identified certain stream segments as being either "water quality limiting" or "effluent limiting". Waters not meeting State standards and which would not be expected to meet these standards even after applying "best practicable treatment" to effluent discharges are classified as "water quality limiting". Those segments meeting standards or those expected to meet them after application of "best practicable treatment" are classified as "effluent limiting", and all new waste discharges must receive "best practicable treatment". However, along stream segments classified as "water quality limiting", waste treatment beyond "best practicable treatment" would be required, and costs of applying such additional treatment may be prohibitive for new development.

The Oswego River is identified as water quality limiting and Lake Ontario is identified as effluent limiting. The surface water classification for the Oswego River varies between Class B (best usage is swimming) and Class C (best usage is fishing). Within the boundaries of the City of Oswego, the river is classified C which is acceptable to the City because of the extensive recreational fishing activity which now exists along the banks. Hazardous flow conditions preclude swimming.

The surface water classification for Lake Ontario is Class A (water supply for drinking or food processing with treatment) which is acceptable to the City because all recreational uses are possible.

POLICY 32 The State Coastal Policy regarding alternative or innovative sanitary waste systems is not applicable to Oswego.

POLICY 33 **BEST MANAGEMENT PRACTICES WILL BE USED TO ENSURE THE CONTROL OF STORMWATER RUNOFF AND COMBINED SEWER OVERFLOWS DRAINING INTO COASTAL WATERS.**

Explanation of Policy

Best management practices include both structural and non-structural methods of preventing or mitigating pollution caused by the discharge of stormwater runoff and combined sewer overflows. At present, structural approaches to controlling stormwater runoff (e.g., construction of retention basins) and combined sewer overflows (e.g., replacement of combined system with separate sanitary and stormwater collection systems) are not economically feasible. Proposed amendments to the Clean Water Act, however, will authorize funding to address combined sewer overflows in areas where they create severe water quality impacts. Until funding for such projects become available, non-structural approaches (e.g., improved street cleaning, reduced use of road salt) will be encouraged.

The City of Oswego is in compliance with all state and federal waste water discharge requirements and there are no waste water problems being experienced.

POLICY 34 **DISCHARGE OF WASTE MATERIALS FROM VESSELS INTO COASTAL WATERS WILL BE LIMITED SO AS TO PROTECT SIGNIFICANT FISH AND WILDLIFE HABITATS, RECREATIONAL AREAS AND WATER SUPPLY AREAS.**

Explanation of Policy

The discharge of sewage, garbage, rubbish, and other solid and liquid materials from watercraft and marinas into the State's waters is regulated. Priority will be given to the enforcement of this Law in areas such as shellfish beds and other significant habitats, beaches, and public water supply intakes, which need protection from contamination by vessel wastes. Also, specific effluent standards for marine toilets have been promulgated by the Department of Environmental Conservation (6 NYCRR, Part 657).

POLICY 35 **DREDGING AND DREDGE SPOIL DISPOSAL IN COASTAL WATERS WILL BE UNDERTAKEN IN A MANNER THAT MEETS EXISTING STATE DREDGING PERMIT REQUIREMENTS, AND PROTECTS SIGNIFICANT FISH AND WILDLIFE HABITATS, SCENIC RESOURCES, NATURAL PROTECTIVE FEATURES, IMPORTANT AGRICULTURAL LANDS AND WETLANDS.**

Explanation of Policy

Dredging often proves to be essential for waterfront revitalization and development, maintaining navigation channels at sufficient depths, pollutant removal and meeting other coastal management needs. Such dredging projects, however, may adversely affect water quality, fish and wildlife habitats, wetlands and other important coastal resources. Often these adverse effects can be minimized through careful design and timing of the dredging operation and proper siting of the dredge spoil disposal site. Dredging permits will be granted if it has been satisfactorily demonstrated that these anticipated adverse effects have been reduced to levels which satisfy State dredging permit standards set forth in regulations developed pursuant to Environmental Conservation Law (Articles 15, 24, 25, and 34), and are consistent with policies pertaining to the protection of coastal resources (State Coastal Management policies 7, 15, 24, 26, and 44).

- POLICY 36 ACTIVITIES RELATED TO THE SHIPMENT AND STORAGE OF PETROLEUM AND OTHER HAZARDOUS MATERIALS WILL BE CONDUCTED IN A MANNER THAT WILL PREVENT OR AT LEAST MINIMIZE SPILLS INTO COASTAL WATERS; ALL PRACTICABLE EFFORTS WILL BE UNDERTAKEN TO EXPEDITE THE CLEANUP OF SUCH DISCHARGES; AND RESTITUTION FOR DAMAGES WILL BE REQUIRED WHEN THESE SPILLS OCCUR.

Explanation of Policy

See Policy 39 for definition of hazardous materials.

- POLICY 37 BEST MANAGEMENT PRACTICES WILL BE UTILIZED TO MINIMIZE THE NONPOINT DISCHARGE OF EXCESS NUTRIENTS, ORGANICS AND ERODED SOILS INTO COASTAL WATERS.

Explanation of Policy

Best management practices used to reduce these sources of pollution could include but are not limited to, encouraging organic farming and best management principles, soil erosion control practices, and surface drainage control techniques.

- POLICY 38 THE QUALITY AND QUANTITY OF SURFACE AND GROUNDWATER SUPPLIES WILL BE CONSERVED AND PROTECTED, PARTICULARLY WHERE SUCH WATERS CONSTITUTE THE PRIMARY OR SOLE SOURCE OF WATER SUPPLY.

Explanation of Policy

Surface and groundwater are the principle sources of drinking water in the State and, therefore, must be protected. As an example, since Long Island's groundwater supply has been designated a "primary source aquifer", all actions must be reviewed relative to their impacts on Long Island's groundwater aquifers.

POLICY 39 **THE TRANSPORT, STORAGE, TREATMENT AND DISPOSAL OF SOLID WASTES, PARTICULARLY HAZARDOUS WASTES, WITHIN COASTAL AREAS WILL BE CONDUCTED IN SUCH A MANNER SO AS TO PROTECT GROUNDWATER AND SURFACE WATER SUPPLIES, SIGNIFICANT FISH AND WILDLIFE HABITATS, RECREATION AREAS, IMPORTANT AGRICULTURAL LAND AND SCENIC RESOURCES.**

Explanation of Policy

The definitions of terms "solid wastes" and "solid wastes management facilities" are taken from New York's Solid Waste Management Act (Environmental Conservation Law, Article 27). Solid wastes include sludges from air or water pollution control facilities, demolition and construction debris and industrial and commercial wastes.

Hazardous wastes are unwanted by-products of manufacturing processes generally characterized as being flammable, corrosive, reactive, or toxic. More specifically, hazardous waste is defined in Environmental Conservation Law [Section 27-0901 (3)] as "waste or combination of wastes which because of its quantity, concentration, or physical, chemical or infectious characteristics may: (a) cause or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating illness; or (b) pose a substantial present or potential hazard to human health or the environment which improperly treated, stored, transported, disposed, or otherwise managed".

POLICY 40 **EFFLUENT DISCHARGE FROM MAJOR STEAM ELECTRIC GENERATING AND INDUSTRIAL FACILITIES INTO COASTAL WATERS WILL NOT BE UNDULY INJURIOUS TO FISH AND WILDLIFE AND SHALL CONFORM TO STATE WATER QUALITY STANDARDS.**

Explanation of Policy

The State Board on Electric Generation Siting and the Environment must consider a number of factors when reviewing a proposed site for facility construction. One of these factors is that the facility "not discharge any effluent that will be unduly injurious to the propagation and protection of fish and wildlife, the industrial development of the State, the public health, and public enjoyment of the receiving waters". The effects of thermal discharges on water quality and aquatic organisms will be considered by the Siting Board when evaluating an applicant's request to construct a new steam generating facility.

POLICY 41 **LAND USE OR DEVELOPMENT IN THE COASTAL AREA WILL NOT CAUSE NATIONAL OR STATE AIR QUALITY STANDARDS TO BE VIOLATED.**

Explanation of Policy

New York's Coastal Management Program incorporates the air quality policies and programs developed for the State by the Department of Environmental Conservation pursuant to the Clean Air Act and State Laws on air quality. The requirements of the Clean Air Act are the minimum air quality control requirements applicable within the coastal area.

To the extent possible, the State Implementation Plan will be consistent with coastal lands and water use policies. Conversely, coastal management guidelines and program decisions with regard to land and water use and any recommendations with regard to specific sites for major new or expanded industrial, energy, transportation, or commercial facilities will reflect an assessment of their compliance with the air quality requirements of the State Implementation Plan.

The Department of Environmental Conservation will allocate substantial resources to develop a regulatory and management program to identify and eliminate toxic discharges into the atmosphere. The State's Coastal Management Program will assist in coordinating major toxic control programming efforts in the coastal regions and in supporting research on the multi-media nature of toxics and their economic and environmental effects on coastal resources.

- POLICY 42 NOT INCLUDED IN THE LOCAL PROGRAM.¹
- POLICY 43 NOT INCLUDED IN THE LOCAL PROGRAM.¹
- POLICY 44 PRESERVE AND PROTECT TIDAL AND FRESHWATER WETLANDS AND PRESERVE THE BENEFITS DERIVED FROM THESE AREAS.

Explanation of Policy

Freshwater wetlands include marshes, swamps, bogs, and flats supporting aquatic and semi-aquatic vegetation and other wetlands so defined in the NYS Freshwater Wetlands Act and the NYS Protection of Waters Act. Freshwater wetlands in the City of Oswego are identified in Section II, Figure 4.

The benefits derived from the preservation of tidal and freshwater wetlands include but are not limited to:

- o habitat for wildlife and fish, including a substantial portion of the State's commercial fin and shellfish varieties; and contribution to associated aquatic food chains;
- o erosion, flood and storm control;
- o natural pollution treatment;
- o groundwater protection;
- o recreational opportunities;
- o educational and scientific opportunities; and,
- o aesthetic open space in many otherwise densely developed areas.

Footnote 1: In determining consistency with the New York State Coastal Management Program (NYS CMP), federal agencies should consult the NYS CMP and Final Environmental Impact Statement (FEIS), or an appendix to the Oswego Waterfront Revitalization Program, for the text of those policies identified by the phrase "Not Included In the Local Program". Otherwise the Oswego Waterfront Revitalization Program fully substitutes for the NYS CMP and FEIS.

SECTION IV

PROPOSED LAND & WATER USES

AND

PROPOSED PUBLIC & PRIVATE PROJECTS

SECTION IV

PROPOSED LAND AND WATER USES/PUBLIC AND PRIVATE PROJECTS

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PROPOSED LAND AND WATER USES

The uses proposed for the Oswego waterfront must achieve a compatible mixture of activities which are water-dependent or water-enhanced. Generally, use of the water itself is intended to be viewed as an extension of the land uses. For example, where landside areas are proposed for recreation, waterside recreation where feasible is also proposed. In addition the development of the waterfront, due to its high visibility, must produce an aesthetically pleasing result to attract continued private investment in new facilities as well as to encourage increased public use of existing and proposed commercial, recreational, and tourist facilities provided. In Table 1 and Figure 1 which follow, the proposed uses are listed according to four sub-areas of the Oswego waterfront.

Several areas of the Oswego waterfront are identified in Figure 1 as "mixed use". Mixed use is intended to reflect two conditions. First, development in Oswego, especially in the waterfront area, has historically tended towards a variety of land uses side by side, and this pattern of land development is expected to continue. Second, some areas of the waterfront, perhaps most significantly is the northeastern portion, are faced with a process of gradual change from vacant to more productive uses. In time the development process will tend to establish the direction of transition, be it housing, commercial and industrial enterprises, retail commercial to support residential uses, or other types of uses in keeping with development trends in Oswego. In any case, the City's development process is intended to protect, or where possible enhance, the natural resources, since it is the existence of these natural resources which, in part, stimulate the growth and development of Oswego.

For those proposed projects and land uses that are not sufficiently addressed within the scope of the LWRP's generic Environmental Impact Statement, a project-specific or action-specific SEQRA evaluation will have to be made and, where necessary, an Environmental Impact Statement prepared by the responsible lead agency.

TABLE 1

PROPOSED LAND & WATER USES

WEST LAKESHORE

- o Land and water-based recreation and tourist activities for boating, fishing, picnics, walking, jogging, hiking and visual enjoyment of the waterfront.
- o Land and water-based educational programs in boating use and water safety, small boat handling, and related activities.
- o Water-dependent and water-enhanced commercial and scientific activities.
- o Housing.
- o Parking facilities.
- o Institutional uses such as SUNY Oswego; health-related facilities.

Table (Continued)

EAST LAKESHORE

- o Land and water-based recreation and tourist activities for boating, fishing, picnics, walking, jogging, hiking and visual enjoyment of the waterfront.
- o Water-dependent and water-enhanced commercial and industrial activities.
- o Housing.
- o Parking Facilities.

WEST BANK

- o Land and water-based recreation and tourist activities for boating, fishing, picnics, walking, jogging, hiking and visual enjoyment of the waterfront.
- o Water-dependent and water-enhanced commercial and industrial activities.
- o Housing above ground floor uses.
- o Parking facilities.

EAST BANK

- o Land and water-based recreation and tourist activities for boating, fishing, picnics, walking, jogging, hiking and visual enjoyment of the waterfront.
- o Water-dependent and water-enhanced commercial and industrial activities.
- o Housing.
- o Parking facilities.






PROPOSED PUBLIC & PRIVATE PROJECTS

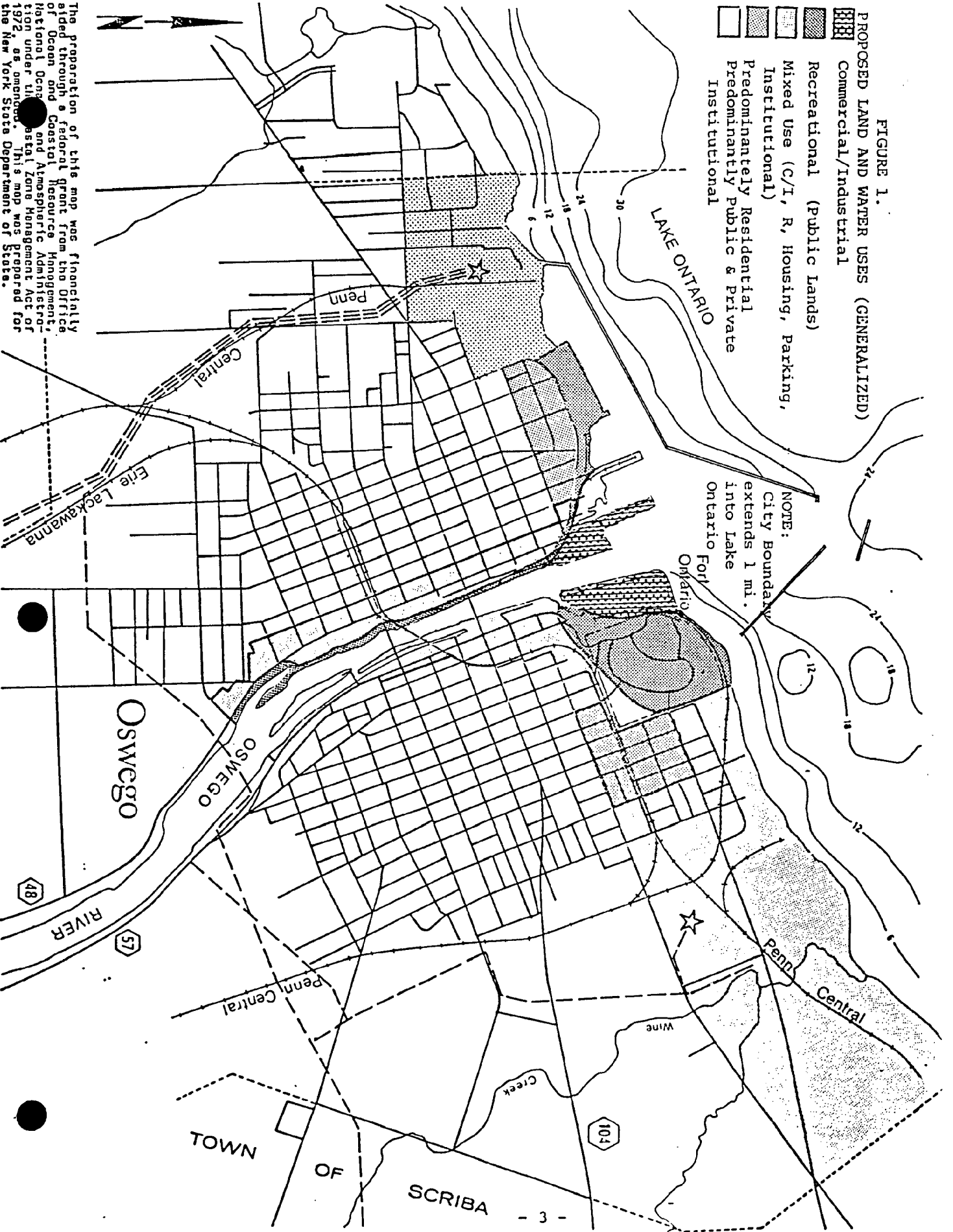
The proposed uses identified in the previous section are refined in this section to five specific projects which are on an implementation schedule. These projects, deemed critical to the Oswego waterfront revitalization efforts, include:

- o West Side Riverfront Linear Park;
- o Wright's Landing, Phase III;
- o Wright's Landing, Phase IVa and b;
- o Port of Oswego Improvement Projects;
- o Coal Pier Improvements/Connection; and
- o East Side Riverfront Linear Park.

FIGURE 1.

PROPOSED LAND AND WATER USES (GENERALIZED)

-  Commercial/Industrial
-  Recreational (Public Lands)
-  Mixed Use (C/I, R, Housing, Parking, Institutional)
-  Predominantly Residential
-  Predominantly Public & Private Institutional



The preparation of this map was financially aided through a Federal grant from the Office of Ocean and Coastal Resource Management, National Oceanic and Atmospheric Administration under the Coastal Zone Management Act of 1972, as amended. This map was prepared for the New York State Department of State.

PROJECT #1: WEST SIDE RIVERFRONT LINEAR PARK

Description: The West Side Riverfront Linear Park is a proposed one-mile long recreation area along the west side of the Oswego River to be constructed mainly over an interceptor sewer line. The Park will increase recreational opportunities for area residents and visitors along the waterfront, including areas for fishing, jogging, bicycling, picnicking, boat launching, and scenic viewing areas. The Park will provide improved access to the River with emphasis on accessibility for the elderly and the handicapped. The installation of safety devices and fencing will address current hazardous conditions. The beautification of the River shoreline in the main downtown area will complement existing rehabilitation and historic preservation efforts.

Sketch Plan: Attached.

Cost Estimates: \$2,261,941. See Table 2 for an estimate of construction costs. The State Department of Environmental Conservation will provide 12.5% and the U.S. Environmental Protection Agency will provide 7.5% of the \$7 million construction of the interceptor sewer line and adjoining pumping station to eliminate direct discharges of sewage to the Oswego River, thereby improving the water quality. The interceptor was completed during 1984. The Department of Housing and Urban Development recently awarded \$195,000 for construction of a section of the Linear Park from West Bridge Street northward; this work is underway.

Time Schedule:

Complete construction, W.Bridge St. going north....	During 1985
Begin construction, W.Bridge St. going south.....	Contingent upon federal/state funding
Complete construction, W.Bridge St. going south....	Contingent upon federal/state funding

When completed, the Linear Park will extend along the west bank of the Oswego River from Opportunity Sites #4 through #8 terminating at the substation.

Fort Ontario

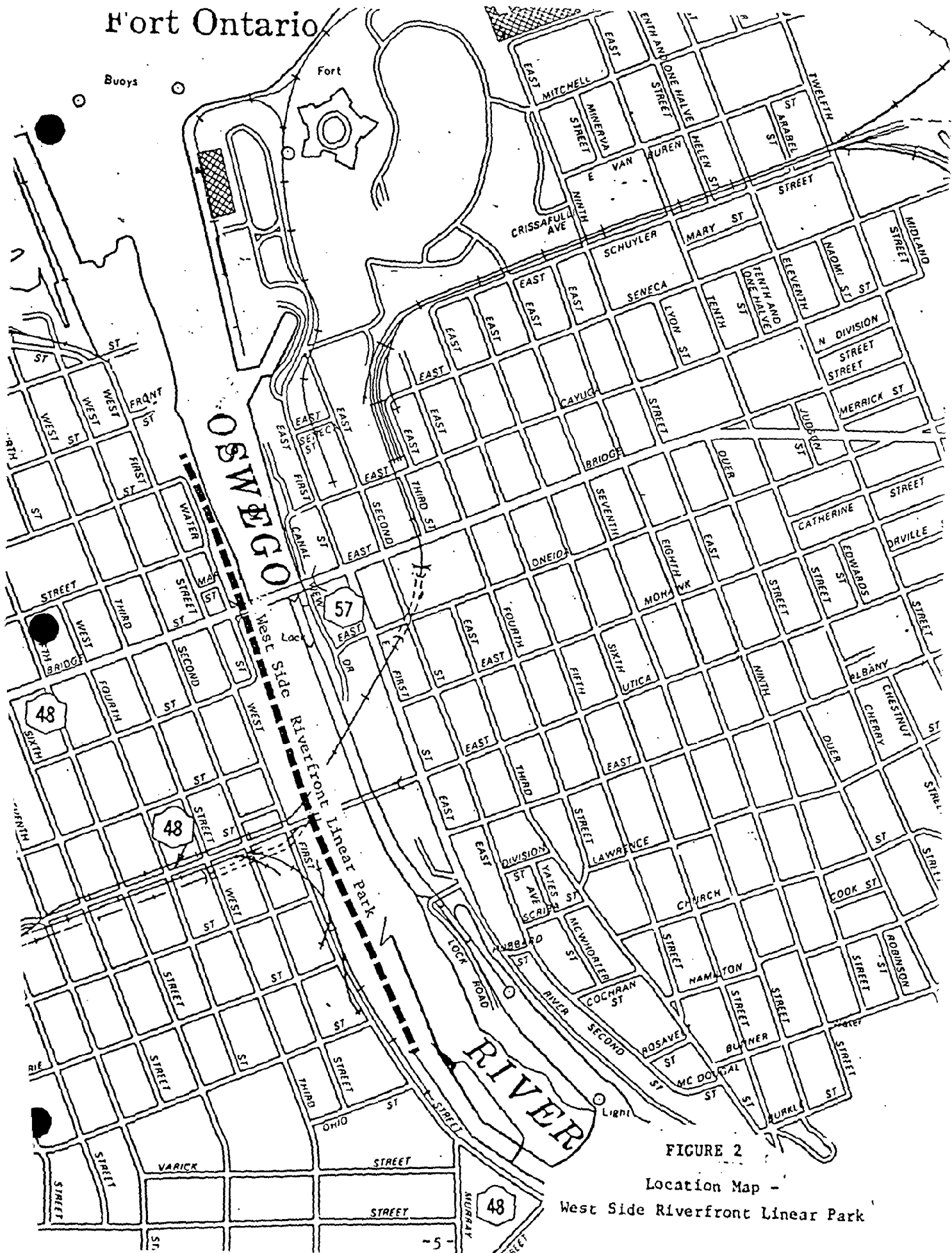


FIGURE 2

Location Map -
West Side Riverfront Linear Park

SKETCH PLAN

A hand-drawn map showing the location of the Linear Park Interceptor Sewer along the Oswego River. The map includes a legend indicating the sewer line (dashed line) and fishing hot spots (X marks). Key streets shown are West Utica Street and West Bridge Street. Other labels include "FISHING HOT SPOTS", OSWEGO RIVER, LEGEND, LINEAR PARK INTERCEPTOR SEWER, ROBTAC BLDG., MARGARET HUNTER BLDG., JENNIE CLIFFORD BLDG., and a north arrow.

TABLE 2
CITY OF OSWEGO, NEW YORK
WEST SIDE MULTIPLE USE
RIVERFRONT LINEAR PARK DEVELOPMENTS

PRELIMINARY ESTIMATE
August 1983

1. Sheet Piling	\$ 301,104
2. Slope Erosion Control Planting	295,218
3. Lighting	216,000
4. Ground Cover & Shrub Planting	132,120
5. Concrete Walks	114,630
6. Bridge	114,000
7. Ni Mo Galvanized Walkway	107,770
8. Reinforced Concrete Walks	101,907
9. Trees (Deciduous)	95,530
10. Administration, Legal, Engineering, Inspection	87,832
11. New Wall Facia	81,700
12. Shelters & Observation Shelters	60,000
13. Mobilization	60,000
14. Seat Walls	44,100
15. Fencing	43,380
16. Asphalt Concrete Parking	43,140
17. Trees (Evergreen)	41,760
18. Benches	41,650
19. Rest Rooms	36,000
20. Stone Rip-Rap	36,000
21. Wood Steps & Decking @ West Utica Street access area	28,158
22. Bollard & Chain Fencing	25,590
23. Performing Platform	20,500
24. Grub, thin, clear & grade	20,000
25. Veterans Memorial	20,000
26. Access Stairs	20,000
27. Curb Walls	19,000
28. Flagpoles	13,050
29. Trash Recepticles (30)	10,500
30. Cantilevered Fishing Decks	8,256
31. Stone Paths & Timber Steps	7,379
32. Picnic Tables (12)	6,000
33. New Concrete Wall	5,250
34. Signage & Historic Markets	5,000
35. Stone Wall Copping	4,470
36. Drink Fountains	4,000
37. Curbs	1,900
38. Lawns	1,332
39. Kiosk	1,0000
40. Wheel Chocks	360

TOTAL ESTIMATE

\$2,261,941

* Lump Sum

PROJECT #2: WRIGHT'S LANDING, PHASE III

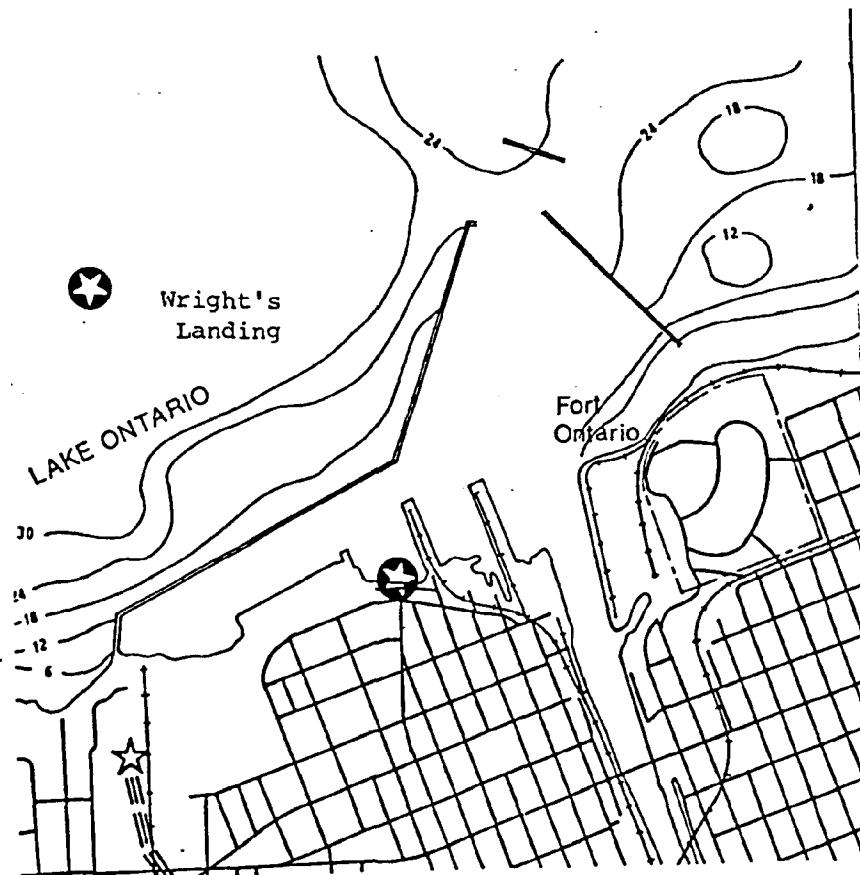
Description: Wright's Landing, Phase III, is a continuation of the land and water recreational area project being executed in phases as federal and state funding become available for project implementation. Phase III includes: construction of a breakwater to complete and join segments constructed during Phases I and II; removal of the remaining boat houses; construction of an aquatic education building; construction of a walkway connecting to Breitbeck Park to the west; and, construction of an entrance road and parking area.

Sketch Plan: Attached.

Cost Estimates: \$465,000.

Time Schedule: Project underway; completion expected in early 1985.

An opportunity site for this project was not identified since the Wright's Landing project was begun prior to preparation of the Oswego LWRP. The location of the Wright's Landing complex is shown below.



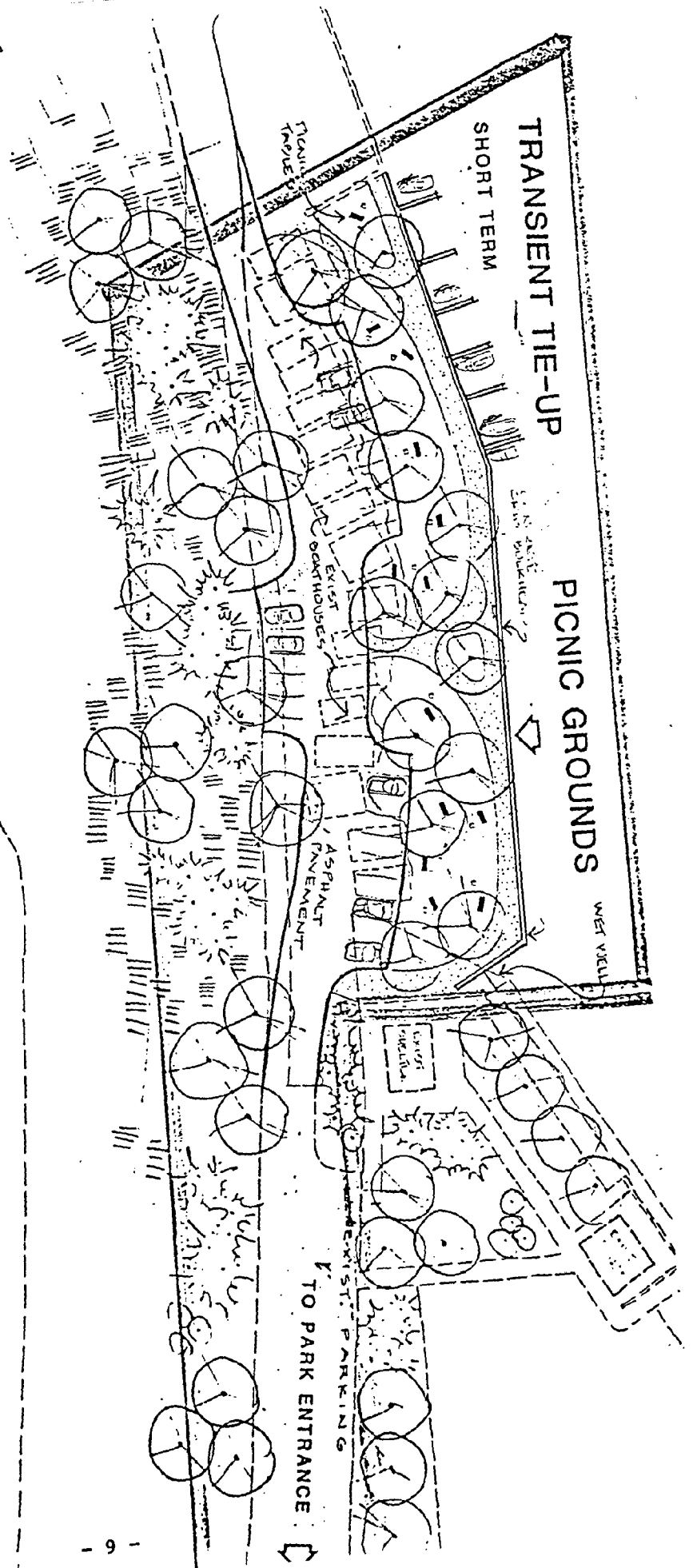


FIGURE 4

SKETCH PLAN

WRIGHT'S LANDING, PHASE III

1" = 40'

PROJECT #3: WRIGHT'S LANDING PHASE IVa AND IVb

Description: Wright's Landing Phase IVa and b continues the expansion and improvement to the waterfront area. Both a and b include finger piers and additional boat slips as well as access improvements and landscaping.

Sketch Plans: See Figure 5.

Cost Estimate: \$84,784 (IVa). Funding for this project is from the Land and Water Conservation Fund with a 50 percent match by the City. NYS Parks and Recreation will consider an application for funding of Phase IVb in February 1985. Estimated cost is \$100,000. If approved, funding will be from the same source on a 50-50 basis.

Time Schedule: Phase IVa to be bid in Spring 1985; completion during 1985. Phase IVb -- undetermined.

See note under Wright's Landing Phase III regarding identification of opportunity sites.

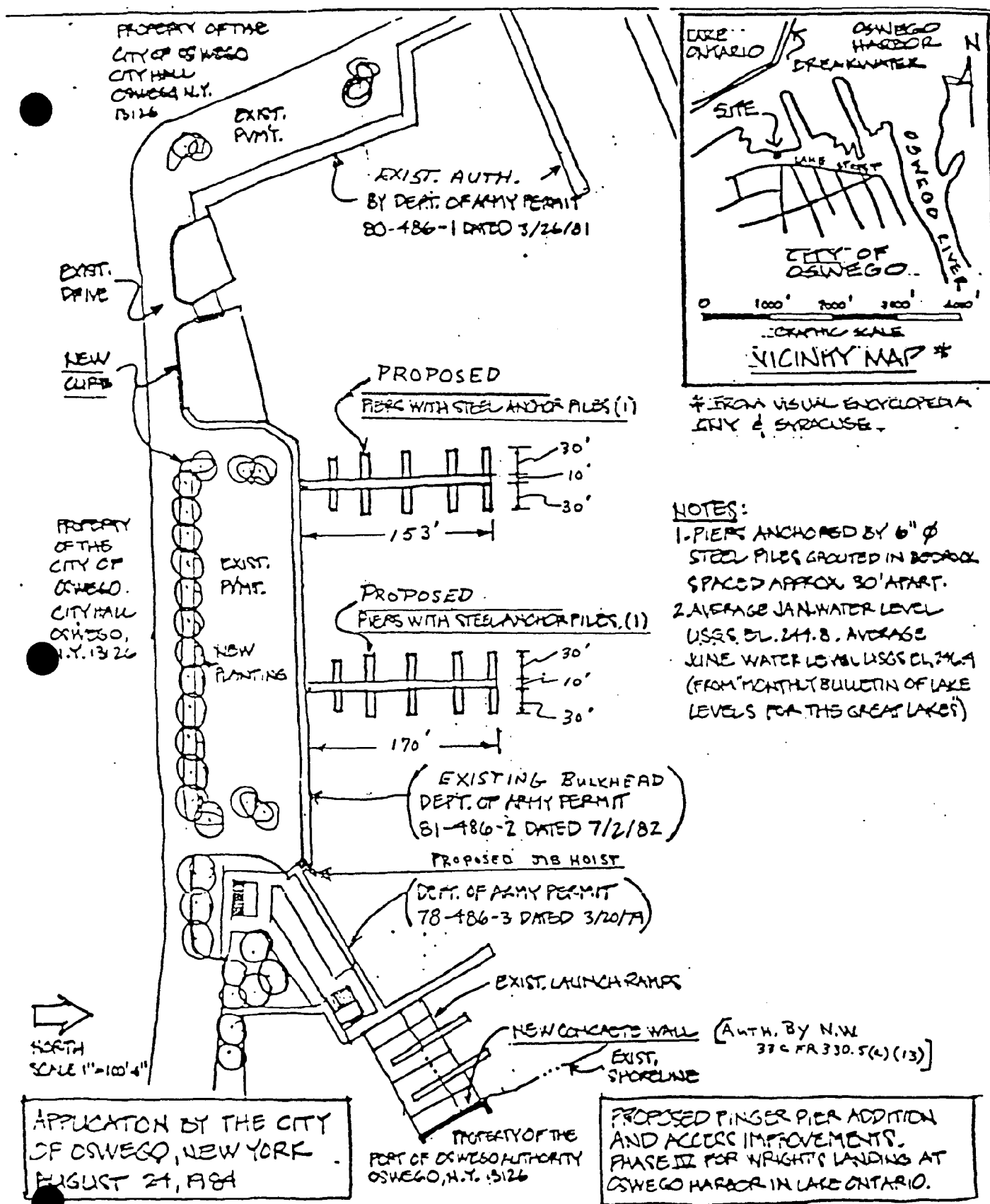


Figure 5. Wright's Landing Phase IVa and IVb

PROJECT #4: PORT OF OSWEGO IMPROVEMENT PROJECTS

Description: The Port of Oswego Development Study is intended to study port conditions and prepare a comprehensive plan for developing port facilities. The objectives of the plan include the identification of steps for maintaining and/or upgrading existing facilities and operating practices and the need for expanding facilities or services to meet the growing demands of current users or new regional shippers and consignees who would benefit from using the Port. The State Infrastructure Bond Act resulted in funding appropriations for several improvements at the Port, including:

- a) Two front-end loaders; cost \$400,000.
- b) Roof and window rehabilitation on the grain elevator and electrical system improvements; cost \$420,000.
- c) Paving and drainage improvements at the Eastside Terminal; cost \$600,000.
- d) Construction of a covered storage building at the Eastside Terminal; cost \$1.5 million.
- e) Additional equipment purchases; cost \$400,000.
- f) Dock stabilization, additional bulk storage and improvement of grain elevator; cost \$2.0 million.

The storm runoff from the salt piles at the Port of Oswego will be discharged into the Oswego River under a DEC discharge permit. The recently completed paving project will allow the Port to store more salt in one location, thereby lessening the surface area of the salt pile and potentially lessening the salt concentration in the storm runoff from the Port properties.

Sketch Plan: The preliminary plan is attached for the East Terminal Layout (see Figure 6) with space requirements for locating a proposed roll-on roll-off truck ferry between the United States and Canada.

Cost Estimates: Items (a) through (f), above: \$5,320,000

Time Schedule: Items (a) through (e), above: completed.
Item (f) above: 1986-88.

All improvements for maintaining or upgrading existing facilities are on Port property as identified in Figure 7 and are not shown as opportunity sites.

O S W E G O R I V E R

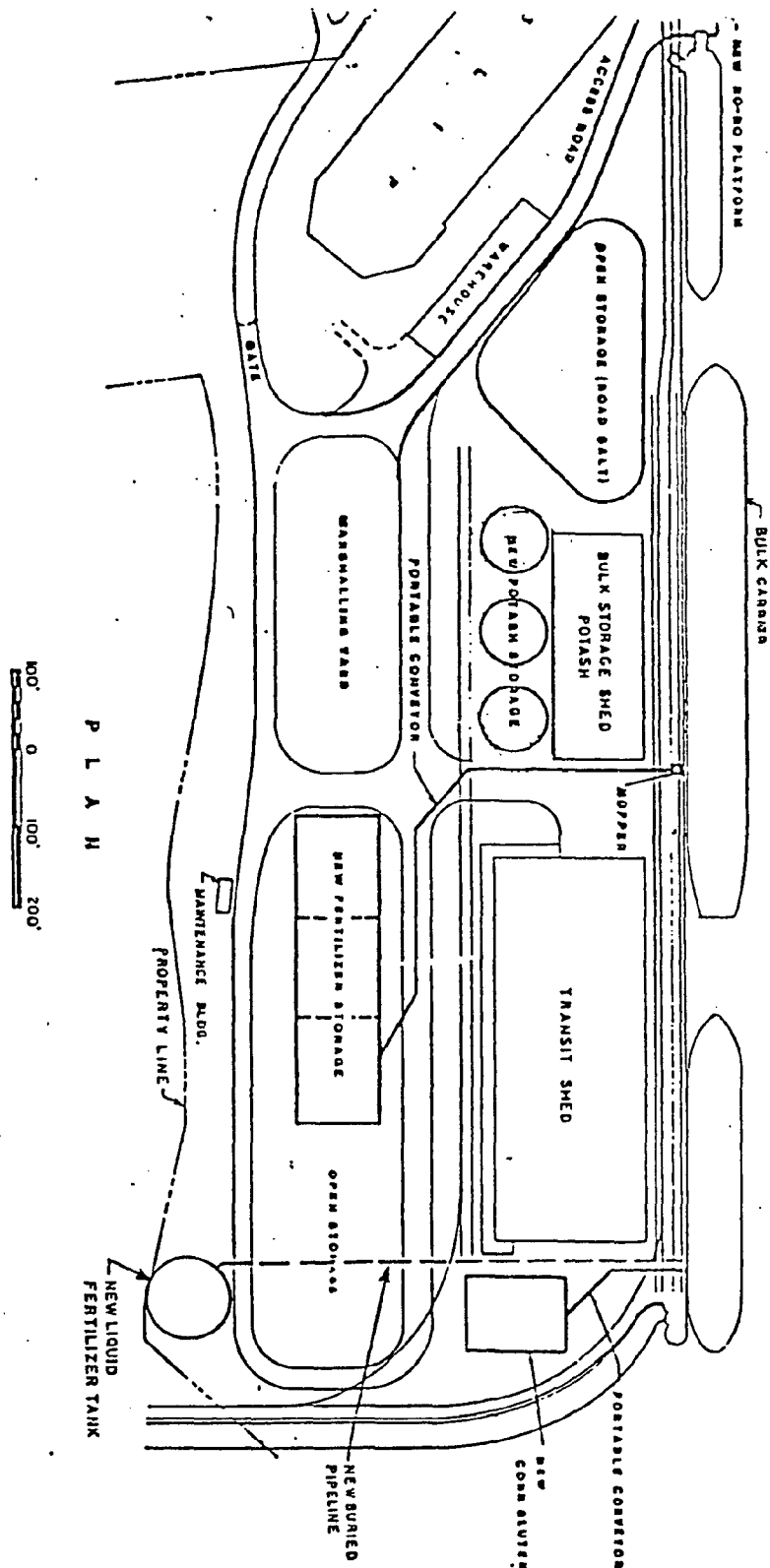
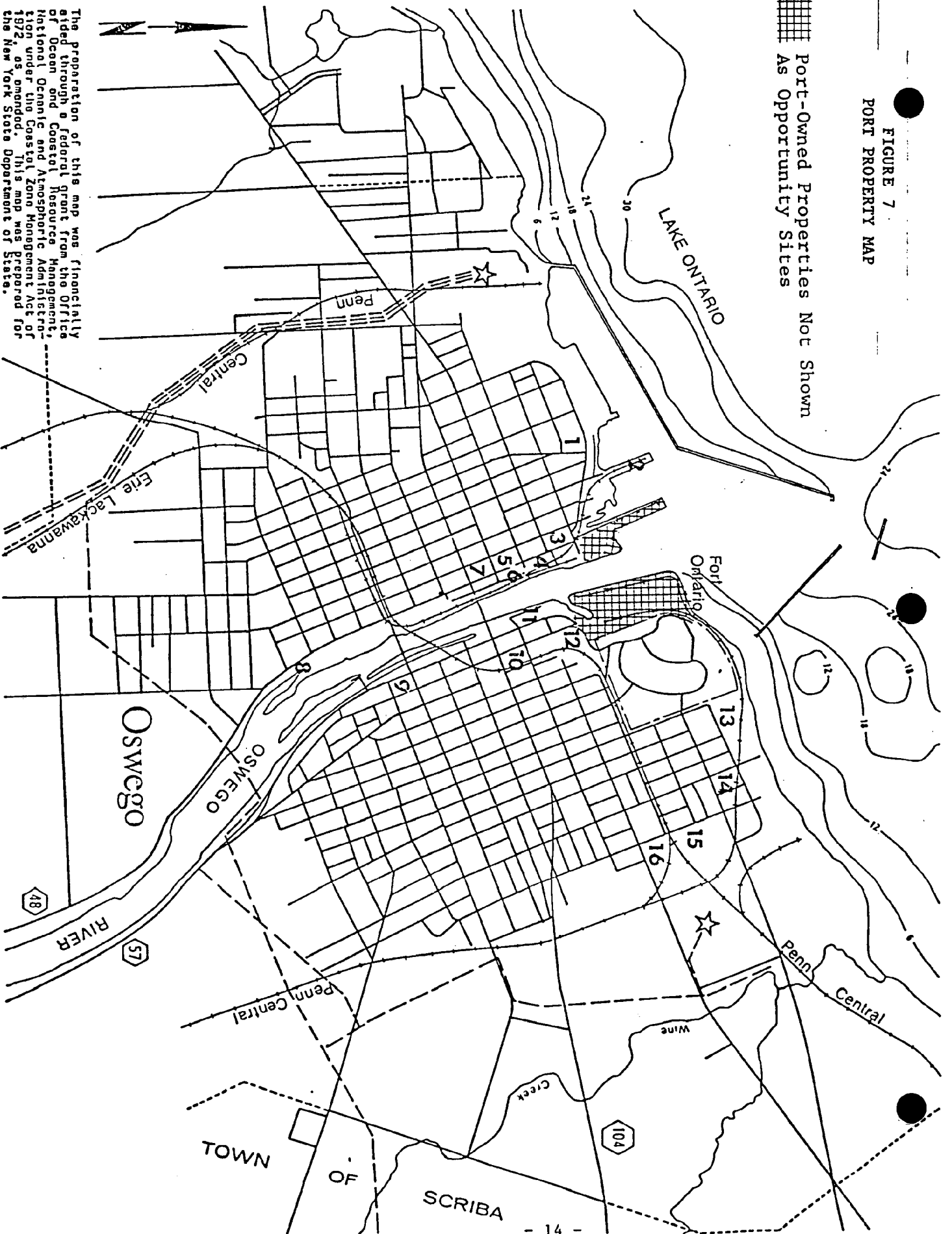


FIGURE 6
Port of Oswego Improvement Projects
East Terminal Layout

FIGURE 7
PORT PROPERTY MAP

Port-Owned Properties Not Shown
As Opportunity Sites



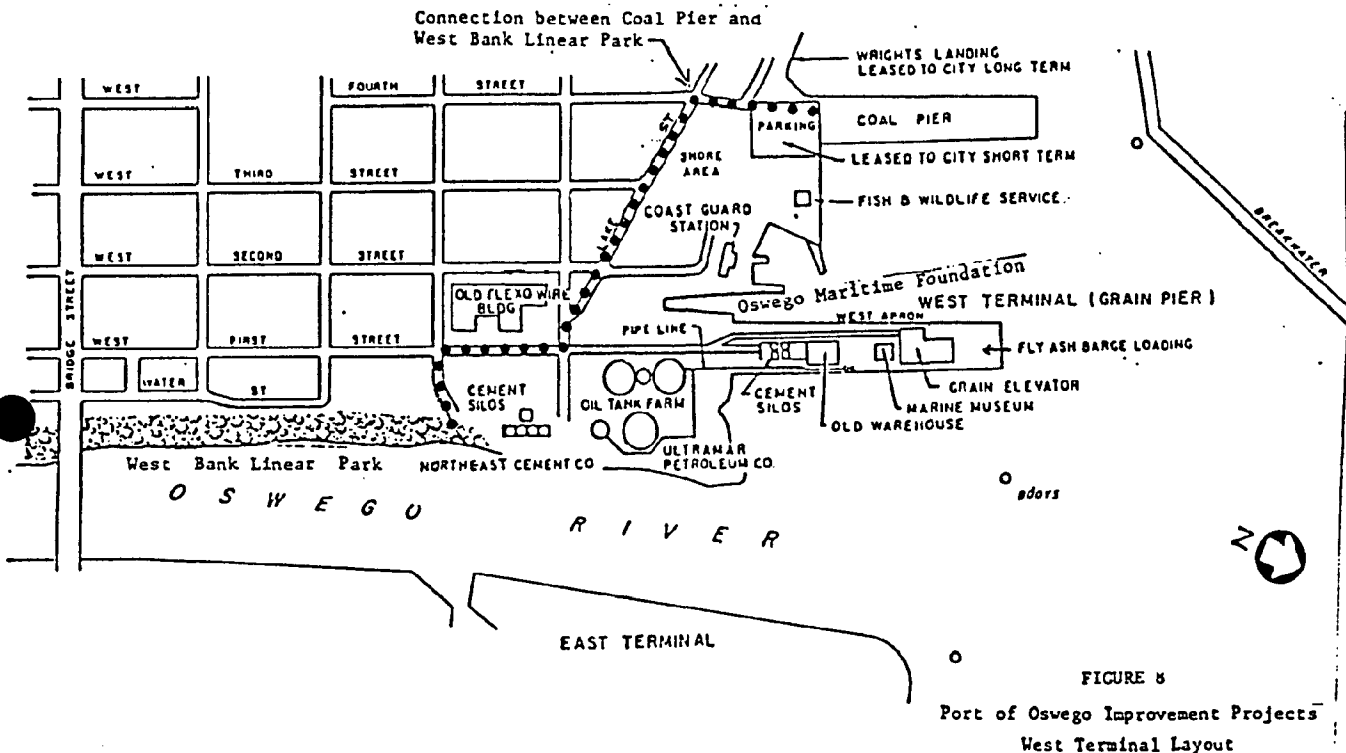
The preparation of this map was financially aided through a federal grant from the Office of Ocean and Coastal Resource Management, National Oceanic and Atmospheric Administration under the Coastal Zone Management Act of 1972, as amended. This map was prepared for the New York State Department of State.

PROJECT #5:

COAL PIER IMPROVEMENTS / CONNECTION

Description:

This project contemplates improvements to the Coal Pier to provide additional public access and boating facilities with a pedestrian connection between the pier and the northern terminus of the Linear Park. The diagram below indicates how the pier improvements might be accomplished but should not be interpreted as a sketch plan since no design work has been undertaken.



Sketch Plan: None available; see Figure 8

Cost Estimates: None available

Time Schedule: Undetermined

PROJECT #6: EAST SIDE RIVERFRONT LINEAR PARK

Description: The success of the West Side Riverfront Linear Park has been so great that the City now anticipates a similar treatment for the east bank of the Oswego River, beginning at the Niagara Mohawk Power Dam and proceeding north to East Seneca Street. Also a portion of the Lake Ontario shoreline is included from Fort Ontario to Bradshaw's Cove. The East Side Park will aid in transforming the entire Oswego waterfront into a major recreational resource for local residents and visitors. Additional public access to the water will be provided, including an expansion of fishing locations and boat launching stations.

Sketch Plans: See Figure 9

Cost Estimates: \$1.9 million. See Table 3 for an estimate of construction costs for each of four project areas.

Time Schedule: Undetermined

TABLE 3
CITY OF OSWEGO
EAST SIDE MULTIPLE USE
RIVERFRONT LINEAR PARK DEVELOPMENTS

PRELIMINARY ESTIMATE
December 1985

Summary

Area 1 - Dam area to East Utica Street	\$446,000
Area 2 - East Utica Street to East Bridge Street	143,000*
Area 3 - East Bridge Street to Port Authority	272,000
Area 4 - Fort Ontario to Bradshaw's Cove	952,000**
 TOTAL ESTIMATE	 \$1,813,000

* Total for Area 2 does not include costs for widening and improving existing West Side Breakwall.

** Total for Area 4 does not include costs for development on the existing abandoned warehouse site.

TABLE 3 (Continued)

Area 1 - Detailed Breakdown

1. Power Dam Stair Access	\$ 14,500
2. Power Dam Ramp Acces	15,000
3. Canal Lock Stair Access	6,500
4. Stair Access to Observation Deck	4,200
5. Stair Access to Fishing Pier	4,000
6. Stair Access from Utica Street	11,500
7. Observation Deck	30,500
8. Fish Cleaning Station (1)	1,500
9. Pedestrian Walkway	56,000
10. Pier/Breakwall Improvements	12,500
11. Aluminum Hand Railing	105,000
12. Lighting (35)	42,000
13. Benches (10)	7,000
14. Parking Lot Improvements	75,000
15. Landscaping	1,000
16. Contingencies, Engineering, Legal, Administrative	<u>59,810</u>
TOTAL ESTIMATE - AREA 1	\$446,000

TABLE 3 (Continued)

Area 2 - Detailed Breakdown

1. Stair Access from Bridge	\$ 11,500
2. Pedestrian Access Bridge (to Pier)	40,000
3. Observation Deck	8,000
4. Pedestrian Walkway	56,000
5. Fishing Pier Improvements	415,000
6. Aluminum Hand Railing	105,000
7. Lighting (40)	48,000
8. Benches (6)	4,200
9. Wall Mural	0*
10. Landscaping	2,500
11. Less Items 1, 2, 5 and (part of) 6	566,500**
12. Contingencies, Engineering, Legal, Administrative	<u>19,185</u>
TOTAL ESTIMATES - AREA 2	\$143,000

* Wall mural to be painted by S.U.C.O. students.

** Improvements under Items, 1, 2, 5 and 6 are under separate consideration for the existing breakwall along the west riverbank.

TABLE 3 (Continued)

Area 3 - Detailed Breakdown

1. Parking Lot Stair Access (#1)	\$ 4,600
2. Parking Lot Ramp Access	7,100
3. Parking Lot Stair Access (#2)	1,900
4. Boat Launch and Dock Facilities	28,500
5. Fish Cleaning Station (1)	1,500
6. Fishing Pier at Outfall	22,200
7. Pedestrian Walkway	30,800
8. Parking Lot Paving and Related	20,000
9. Aluminum Hand Railing	30,000
10. Lighting (30)	36,000
11. Benches (5)	3,500
12. Picnic Shelters (5)	26,000
13. Restrooms	17,900
14. Landscaping	5,900
15. Contingencies, Engineering, Legal, Administrative	36,295
 TOTAL ESTIMATE - AREA 3	 \$272,000

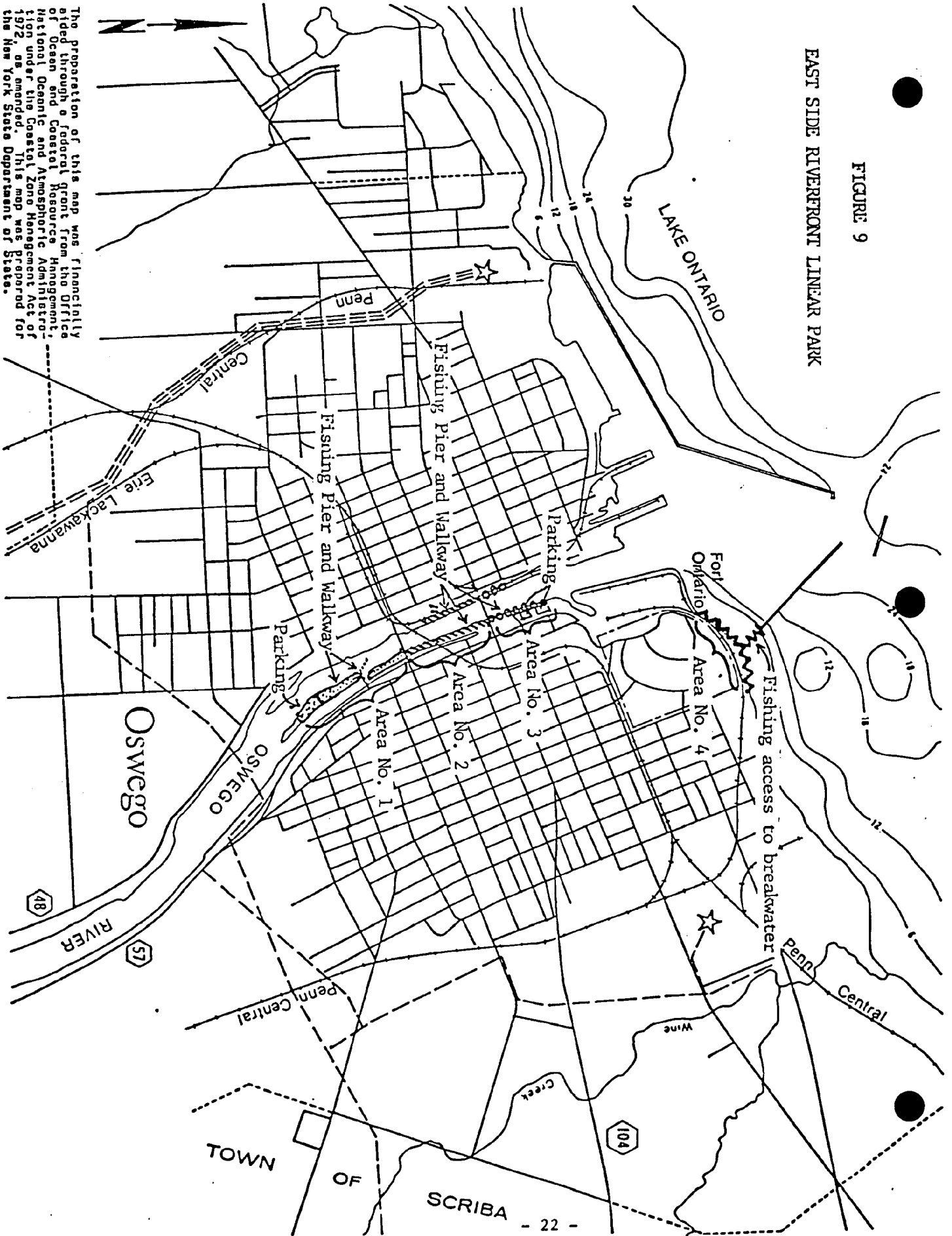
TABLE 3 (Continued)

Area 4 - Detailed Breakdown

1. Fishing Pier/Walkway	\$ 28,300
2. Stair Access to Pedestrian Walkway	4,300
3. Ramp Access to Pedestrian Walkway	6,500
4. Ramp Access to Bridge	8,000
5. Observation Decks and Accesses (In Lake)	48,000
6. Observation Decks and Accesses (Cove) (2)	26,000
7. Pedestrian Access Bridge (To Pier)	150,000
8. Boat Launch and Docks (Fort Ontario)	29,200
9. Boat Launch and Docks (Cove)	34,000
10. Fish Cleaning Stations (2)	3,000
11. Pedestrian Walkway/Fishing Pier	57,000
12. Parking Lot Construction	120,000
13. Access Roadway Construction	18,000
14. Aluminum Hand Railing	90,000
15. Lighting (50)	60,000
16. Benches (25)	17,500
17. Picnic Shelters (20)	60,000
18. Band Shelter and Seating	11,000
19. Restrooms (2)	44,000
20. Landscaping	25,000
21. Contingencies, Engineering, Legal, Administrative	127,702
TOTAL ESTIMATE - AREA 4	\$952,000

FIGURE 9

EAST SIDE RIVERFRONT LINEAR PARK



The preparation of this map was financially aided through a federal grant from the Office of Ocean and Coastal Resource Management, National Oceanic and Atmospheric Administration under the Coastal Zone Management Act of 1972, as amended. This map was prepared for the New York State Department of State.

SECTION V

TECHNIQUES FOR LOCAL IMPLEMENTATION OF THE PROGRAM

SECTION V

TECHNIQUES FOR LOCAL IMPLEMENTATION OF THE PROGRAM

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A. LOCAL LAWS AND REGULATIONS NECESSARY TO IMPLEMENT THE LWRP

1. EXISTING LOCAL LAWS AND REGULATIONS

a. City of Oswego Master Plan, 1978.

- (1) In 1978, the City of Oswego published the Proposed Master Plan 1978 as part of the City's Community Development Plan and Program to update the two previous major planning efforts by the City of Oswego, the Master Plan of 1958 and the Zoning Ordinance of 1973. "The overall objective", as stated in the Introduction to the Master Plan, "is to plan for a vital resident population, encouraging those already living in the City to continue to do so and seeking to attract new residents necessary to assure a modest growth and a reasonable balance of age groups, economic levels, and life styles."
- (2) The City's Proposed Master Plan, although not formally adopted by the Oswego Common Council, is used routinely as a guide for local development decisions.

b. City of Oswego 1973 Zoning Ordinance, amended August 16, 1982.

- (1) The City of Oswego adopted a zoning ordinance on May 29, 1940, which has been amended in the intervening years as necessary, most recently in 1982. The purpose of the zoning ordinance is to provide for orderly growth, lessen congestion, secure safety, provide adequate light and air, prevent overcrowding, provide various public facilities and promote the health, safety and general welfare of the public.
- (2) The City of Oswego Zoning Ordinance is an important element in the implementation of the LWRP since all development must conform with the regulations specified for the district in which the development is proposed. Therefore, no LWRP implementation actions involving new or modified existing physical facilities can be undertaken without meeting the requirements of the zoning ordinance.
- (3) The City's Zoning Ordinance was officially amended during the preparation of the LWRP to include several minor modifications presented below.

Page 1. Section 103 — Add to first paragraph: "and to promote the appropriate use of the waterfront and allow adequate public access to the water".

Page 7. Section 160 — Add the following definitions:

Marina, Commercial: A facility for the berthing, fueling, repair, and storage of recreational and commercial boats and the provision of related accessory services; a yard where boats are constructed.

Mooring Slip: Any dock, arrangement of piles or methods used to berth, secure, or fasten a boat.

Yacht Club, Private Marina: A building or use for members of a group or association for the purpose of engaging in recreational and competitive boating or other water-related sports.

The marine activities added to Section 160 are to be allowed in Neighborhood Business B1, Central Business B2, Redevelopment District B3, and Industrial District IN (Sections 461, 471, 481, and 491 respectively).

Page 38. Section 502 — Add the following statement:

10. With respect to property within the Oswego Waterfront Revitalization Area Boundary, the owner shall demonstrate how the proposed development will enhance the waterfront area or otherwise fulfill the City's waterfront revitalization program and, in addition, provide where possible for visual and physical access to the shore and water in conformance with the City's waterfront revitalization program.

Page 51., following Section 564 — Add the following section:

Section 565 — Obstruction of Waterways

To prevent encroachment upon, or obstruction of, river or creek channels, harbor, or other waterways within the jurisdiction of the City of Oswego, there shall not be placed, erected, or located within such waterways any building or structure, pier, slip, or marina, or retaining or revetment wall except authorized bridges or dams. In addition, there shall not be placed within such waterways any filling of earth, ashes, rubbish, rubble, concrete, masonry, or any other kind of fill.

However, these provisions may be waived if the structure or fill is approved by the Oswego City Engineer and the Oswego Common Council, and the U.S. Army Corps of Engineers, and other public bodies, where applicable.

c. Coastal Erosion Hazard Area Management Regulation.

- (1) A new Coastal Erosion Hazard Area Management Regulation has been adopted to help implement the Oswego LWRP. This local

law establishes the parameters and guidelines for protection of the City's Lake Ontario shoreline.

- (2) The Coastal Erosion Hazard Area Management Regulation implements the LWRP because it accomplishes the following purposes:

- o minimizing and preventing damage to structures from shoreline erosion and protection of natural protective feature areas;
- o regulating land use and development activities so as to minimize or prevent damage or destruction to manmade property, natural protection features, other natural resources, and human life;
- o regulating new construction or placement of structures in order to place them a safe distance from areas of active erosion to ensure that these structures are not prematurely destroyed or damaged due to improper siting;
- o restricting public investment in services, facilities, or activities which are likely to encourage new permanent development in erosion hazard areas; and,
- o regulating the construction of erosion protection structures in coastal areas subject to serious erosion so that their construction and operation will minimize or prevent damage or destruction of manmade property, private and public property, natural protective features, and other natural resources.

2. ADDITIONAL LOCAL LAWS AND REGULATIONS ADOPTED TO IMPLEMENT THE LWRP

a. Local Waterfront Revitalization Program Consistency Law.

- (1) A local consistency law has been adopted to assure that agencies of the City of Oswego will perform municipal functions in a manner consistent with the Oswego LWRP with respect to the waterfront area.

B. OTHER PUBLIC AND PRIVATE ACTIONS NECESSARY TO IMPLEMENT THE LWRP

1. LOCAL GOVERNMENT ACTIONS NECESSARY TO IMPLEMENT THE LWRP

- a. Housing Site Analysis - Applicable to Sites #1 and 14; may also be applicable to Site #9 since a mixed use planned development is under consideration.
- (1) Undertake a housing site analysis by a qualified housing development advisor of opportunity sites where housing is a potential use.

- (2) Several of the opportunity sites identified in the LWRP appear to have potential as possible housing sites and, therefore, should be evaluated by a qualified housing development advisor. The evaluation should include natural characteristics, neighborhood setting, market level suitability, and financial feasibility. This information can be supplemented by the site data obtained for the inventory of opportunity sites, in particular the availability of utility services and appropriate zoning.

Several of the sites have locations which are enhanced by their adjacency or proximity to the water as well as other housing developments where commercial, industrial, or recreational development would not be compatible or appropriate. Since these sites are vacant or underutilized and within the Coastal Boundary, their development would help implement the LWRP and enhance the City's efforts to revitalize the waterfront as well as increase real estate tax revenues. Encouraging people to live in the waterfront area will help to assure vitality and support a mixture of land uses. This action will help to fulfill State Policies 1, 2, 5, 6, 11, 12, 14, 16-25, 30, 31, 33, 37, 38, 41, and 44 and related local policies.

b. Priority Listing of UDAG Sites - Applicable to Sites #3, 5, 7, 9, 10, and 12.

- (1) Develop a priority listing of waterfront area sites to be used as potential UDAG candidates in joint public-private financing.
- (2) The LWRP identifies the City's vacant and underutilized opportunity sites which are available for reuse in the waterfront area. The City's next step is to provide incentives to attract private investor interest in these sites, including public and private joint financing strategies. Successful efforts to market the opportunity sites will greatly depend on making reuse of the sites financially attractive to investors. The Urban Development Action Grant Program is a means of increasing public and private investment in order to aid in economic recovery and strengthen the employment and tax base of communities. This action will help to fulfill State policies 1-3, 5, 6, 11-14, 16-25, 31, 33, 41, and 44 and related local policies.

- c. Increase Public Access - Applicable to Sites #2,3,6,8, and 11 and to that portion of Site #13 north of the railroad.

- (1) Increase opportunities for public access to the waterfront through such means as new recreational areas, walkways and the use of street ends.
- (2) The City's current efforts to provide additional public access to the waterfront, such as at Wright's Landing and the Linear Parks on the West and East banks, have generated public interest in and support for identifying additional public access opportunities. The City will be examining other opportunities for implementing the public access portion of the LWRP in conjunction with the development of design guidelines. This action will help fulfill State policies 1, 2, 5, 9, 12, 18-25, 33, and 41 and related local policies.

2. PRIVATE ACTIONS NECESSARY TO IMPLEMENT THE LWRP

- a. Fitzgibbons Building Site Analysis - Applicable to Site #13.

- (1) Prepare an analysis of the Fitzgibbons Building to determine how the site could be made more attractive to developers for redevelopment or reuse, including building demolition and site clearance, and the estimated costs of alternatives.
- (2) The site analysis would be carried out under the auspices of the Port of Oswego Authority and a subcommittee of the Oswego LWRP Advisory Committee in cooperation with Operation Oswego County, Inc., a private, nonprofit, local industrial development agency which markets Oswego County to private interests in order to retain existing employment opportunities and attract new employers. The Fitzgibbons Building is a largely vacant, former factory used to manufacture military tanks. The 300,000 square feet of floor area has, to date, not attracted a definitive, permanent reuse. The site is well situated for a variety of uses and offers a panoramic view of Lake Ontario. There have been some indications that the existing structure, being largely unusable, may be a deterrent to a reuse of the site. A complete site analysis would provide the Port with useful information on how redevelopment of this opportunity site can help implement the LWRP. This action will help fulfill State policies 1-3, 5, 18-25, 33, and 41 and related local policies.

- b. Foreign Trade Zone Feasibility - Applicable to Port-owned property noted on Figure 7, Section IV and to Sites #3,13,15, and 16.

- (1) Investigate the feasibility of establishing a foreign trade zone within the City to provide new employment opportunities for area residents.
- (2) With the establishment of a foreign trade zone (FTZ) in the City of Syracuse, interest has been expressed in investigating Oswego's potential for establishing a FTZ. An Oswego FTZ could have the effect of stimulating local business activity, possibly including operations at the Port of Oswego, thereby offering additional employment opportunities and strengthening local economic revitalization efforts. The feasibility analysis would be carried out under the auspices of the Port of Oswego with the assistance of Operation Oswego County, Inc. This action will help fulfill State policies 1-3, 5, 6, 14, 18-25, 33, 36-38, 41, and 44 and related local policies.

c. Boating Facility Potential - Applicable to Sites #2 and 11.

- (1) Investigate the potential for developing additional recreational and tourist boating facilities, particularly with respect to appropriate siting of such facilities.
- (2) Oswego has the opportunity to benefit economically from the growing interest in boating activity. This includes private pleasure craft, fishing and sightseeing excursion boats, regattas, and boat shows. However, the expansion of the recreational and tourist boating activity is limited by the facilities available. If the City is to maximize the potential benefits, additional steps will be needed to determine where additional facilities to meet demands could be located. The investigation would be carried out by the City's Community Development Agency, in cooperation with the Port of Oswego Authority and the Oswego Maritime Foundation. This action will help fulfill State policies 1-3, 5, 6, 9-25, 28, 33-35, 37, 38, 41, and 44 and related local policies.

C. MANAGEMENT STRUCTURE NECESSARY TO IMPLEMENT THE LWRP

1. LEAD AGENCY AND LOCAL OFFICIAL DESIGNATED AS RESPONSIBLE FOR OVER-ALL MANAGEMENT AND COORDINATION OF THE LWRP

The Mayor of the City of Oswego is the local official responsible for the LWRP. The Mayor delegates specific LWRP responsibilities to individual City departments in accordance with specific program requirements.

2. SUMMARY OF THE ASSIGNMENT OF THE SPECIFIC RESPONSIBILITIES FOR IMPLEMENTATION AND MANAGEMENT OF THE LWRP

Specific responsibilities for implementation and management of the LWRP are assigned by the Mayor. Matters pertaining to land development and zoning are normally within the purview of the City Engineer and the Planning Board. Given the small size of the City government, many activities are accomplished using inter-departmental cooperative efforts, as assigned by the Mayor. Two departments in particular have been associated with the development of the LWRP, namely, the Office of the City Engineer and the Community Development Agency. Their continued participation is anticipated in the future, depending on assignments made by the Mayor.

3. DESCRIPTION OF PROCEDURES TO BE USED TO ENSURE THAT ALL LOCAL ACTIONS COMPLY WITH THE POLICIES OF THE LWRP

The Mayor has final responsibility for ensuring that local actions are in compliance with the LWRP policies. Local actions proposed for the waterfront area will be reviewed in accordance with SEQRA procedures and existing land use controls and with the policies and purposes stated in the Local Waterfront Revitalization Program.

4. DESCRIPTION OF PROCEDURES TO BE USED FOR THE REVIEW OF FEDERAL AND STATE ACTIONS FOR CONSISTENCY WITH THE LWRP

Federal and State actions proposed for the waterfront area will be reviewed for consistency in accordance with SEQRA procedures and existing land use controls and with the policies and purposes stated in the City of Oswego Local Waterfront Revitalization Program. The following paragraphs outline the City's review procedure.

- A. Upon receipt of notification from a state or federal agency of a proposed action, including physical development projects, regulatory measures or funding support for projects, the City of Oswego will be responsible for evaluating a proposed action against the policies and purposes of its LWRP within thirty (30) days of receipt of complete information for evaluating each proposal.
- B. If the City of Oswego does not identify any conflicts between the proposed action and the applicable policies and purposes of the LWRP, the subject agency will be notified in writing of the City's finding of no conflict. Upon receipt of the City's finding, the subject agency may proceed with its consideration of the proposed action.
- C. If the City of Oswego does not notify the subject agency in writing of its finding within the established review period, the agency may then assume that the proposed action does not conflict with the policies and purposes of the City's LWRP.

- D. If the City of Oswego notifies the subject agency in writing that the proposed action does conflict with the policies and/or purposes of the LWRP, the subject agency shall not proceed with the proposed action until efforts are made to resolve the conflict(s) in accordance with the procedure outlined in paragraph E. below. At such time as the subject agency is notified of the conflict(s), the City will also forward a copy of the identified conflicts to the Secretary of State. The specific policies and/or purposes with which the proposed action is in conflict will be specified in the notification.
- E. The following procedure is to be followed for resolution of identified conflicts:
1. Upon receipt of notification from the City of Oswego that a proposed action conflicts with the LWRP, the subject agency shall contact the Mayor of the City of Oswego to discuss the conflict(s) and the means for resolving them. A meeting between subject agency representatives and the City of Oswego may be necessary to discuss and resolve conflicts and, if this step is deemed necessary, both parties shall make every effort to convene this meeting within thirty (30) days from receipt of the conflict notification from the City.
 2. If the discussion between the City of Oswego and the subject agency results in the resolution of the identified conflict(s), the subject agency can then proceed with its consideration of the proposed action. The Mayor of the City of Oswego will notify the subject agency in writing, with a copy forwarded to the Secretary of State, that all of the identified conflicts have been resolved.
 3. If the consultation between the City of Oswego and the subject agency does not lead to the resolution of the identified conflicts, either party may request, in writing, the assistance of the Secretary of State to resolve any or all of the identified conflicts. This request must be received by the Secretary within 15 days following the formal consultation between the City and the subject agency. The party requesting the assistance of the Secretary shall forward a copy of their request to the other party.
 4. Within thirty (30) days following receipt of a request for assistance, the Secretary or a Department of State official or employee designated by the Secretary, will discuss the identified conflicts and circumstances preventing their resolution with the appropriate representatives of the subject agency and the City of Oswego.

5. If agreement among all parties cannot be reached during these discussions, the Secretary shall, within 15 days of completion of the discussions, notify both parties of the Department's findings and recommendations.
6. The subject agency shall not proceed with consideration of the proposed action until the Secretary's findings and recommendations have been received and have been concurred with by both the City and the subject agency.
7. If the Secretary cannot obtain the concurrence of both parties, the conflict resolution process shall be considered terminated and the City shall be free to pursue other options available to it under applicable state law.

D. FINANCIAL RESOURCES NECESSARY TO IMPLEMENT THE LWRP

Several financial strategies are being used or are under consideration for attracting private-investor participation in waterfront revitalization efforts. These include the use of the City's General Fund, the Community Development and Urban Development Action Grant Programs, Transportation Bond Act funds administered by NYS Department of Transportation, the NYS Division of Housing and Community Renewal funding administered through the Oswego Housing Development Council, Inc., and the resources of Operation Oswego County, Inc. including the potential use of direct loans or mortgages under the Small Business Administration's 503(b) Program as well as industrial development bonds and funding through the Job Development Authority. In addition, other financial strategies are available to the City if an appropriate opportunity arises including property tax abatements, public easements, purchase and leaseback agreements, and land swapping.

Listed below are actual or potential public and private financial resources identified for use in implementing the projects identified earlier in Section IV and other public and private implementation actions identified in the preceeding paragraphs.

<u>Implementation Actions</u>	<u>Funding Source</u>
1. Proposed projects	
a. Linear Park	o Partially funded through HUD via Jobs Bill (\$195,000), (\$2.07 million) now being sought from other federal/state sources
b. Wright's Landing - all phases	o Phase III - Funded and under construction (\$465,000) -- NYS Office of Parks & Recreation; Phase IV - Partially funded
c. Port of Oswego Improvements	o NYS Dept. of Transportation: Equipment and improvements (\$2.9 million)
d. Coal Pier Improvements	o Funding source not identified.
2. Other Public/Private Actions	
a. Additions to Zoning Ordinance	o City General Fund
b. Housing Site Analysis	o NYS Department of Housing & Community Renewal
c. Priority Listing UDAG Sites	o City General Fund/City Community Development Program
d. Increase Public Access	o City General Fund/City Community Development Program/NYS Council on the Arts
e. Fitzgibbons Building Site Analysis	o Port of Oswego Authority/NYS Dept. of Transportation/Operation Oswego County, Inc./LWRP Subcommittee
f. Foreign Trade Zone Feasibility	o Operation Oswego County Inc.
g. Boating Facility Potential	o City Community Development Program
3. Management of LWRP	
a. Mayor, Common Council, City Engineer, Planning Board, SEQRA review	o City General Fund
b. Office of Community Development	o City Community Development Program

E. SUMMARY CHART OF ACTIONS IMPLEMENTING LOCAL POLICIES

LOCAL GOVERNMENT ACTIONS						PRIVATE ACTIONS			
Policy Number	Not Applicable	* Additions to Zoning Ordinance	Coastal Erosion Hazard Area Mgmt. Regs.	Housing Site Analysis	Priority List of UDAG Sites	In-creased Public Access	Fitz-gibbons Site Analysis	Foreign Trade Zone Feasi-bility	Additional Boating Facili-ties
1		x	x	x	x	x	x	x	x
2		x	x	x	x	x	x	x	x
3		x	x		x		x	x	x
4	x								
5		x	x	x	x	x	x	x	x
6		x	x	x	x			x	x
7		x	x						
8		x			x				
9		x	x			x			x
10		x							x
11		x	x	x	x				x
12		x	x	x	x	x			x
13		x	x		x				x
14		x	x	x	x			x	x
15		x							x
16		x	x	x	x				x
17		x	x	x	x				x
18		x	x	x	x	x	x	x	x
19		x	x	x	x	x	x	x	x
20		x	x	x	x	x	x	x	x
21		x	x	x	x	x	x	x	x
22		x	x	x	x	x	x	x	x
23		x	x	x	x	x	x	x	x
24		x	x	x	x	x	x	x	x
25		x	x	x	x	x	x	x	x
26	x								
27	x								
28		x	x						x
29	x								
30		x		x					
31		x		x	x				
32	x								
33		x	x	x	x	x	x	x	x
34		x							x
35		x	x						x
36		x						x	
37		x	x	x				x	x
38		x	x	x				x	x
39		x							
40		x							
41		x	x	x	x	x	x	x	x
42	x								
43	x								
44		x	x	x	x			x	x

*The City of Oswego Master Plan, as explained in the text, has not been adopted yet but is used as an informal benchmark in planning and development decision-making.

SECTION VI

FEDERAL AND STATE PROGRAMS LIKELY TO AFFECT IMPLEMENTATION

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FEDERAL AND STATE PROGRAMS LIKELY TO AFFECT IMPLEMENTATION

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A. FEDERAL AND STATE ACTIONS AND PROGRAMS WHICH SHOULD BE UNDERTAKEN IN A MANNER CONSISTENT WITH THE LWRP

State and federal actions will affect and be affected by implementation of the LWRP. Under State law and the Federal Coastal Zone Management Act, certain State and Federal actions within or affecting the local waterfront area must be "consistent" or "consistent to the maximum extent practicable" with the enforceable policies and purposes of the LWRP. This makes the LWRP a unique, intergovernmental mechanism for setting policy and making decisions. While consistency requirements primarily help prevent detrimental actions from occurring and help ensure that future options are not foreclosed needlessly, active participation on the part of state and federal agencies is also likely to be necessary to implement specific provisions of the LWRP.

The first part of this section identifies the actions and programs of state and federal agencies which should be undertaken in a manner consistent with the LWRP. This is a generic list of actions and programs, as identified by the NYS Department of State; therefore, some of the actions and programs listed may not be relevant to this LWRP. Pursuant to the State Waterfront Revitalization and Coastal Resources Act (Executive Law, Article 42), the Secretary of State individually and separately notifies affected state agencies of those agency actions and programs which are to be undertaken in a manner consistent with approved LWRPs. Similarly, federal agency actions and programs subject to consistency requirements are identified in the manner prescribed by the U.S. Coastal Zone Management Act and its implementing regulations. The lists of state and federal actions and programs included herein are informational only and do not represent or substitute for the required identification and notification procedures. The current official lists of actions subject to state and federal consistency requirements may be obtained from the NYS Department of State.

The second part of this section is a listing of specific key actions and projects necessary to implement the Oswego LWRP. The third part of this section is a general list of state and federal agency actions which are necessary to further the implementation of the LWRP. It is recognized that a State or Federal agency's ability to undertake such actions is subject to a variety of factors and considerations; that the consistency provisions referred to above may not apply; and that the consistency requirements can not be used to require a state or federal agency to undertake an action it could not undertake pursuant to other provisions of law. Reference should be made to Sections IV and V, which also discuss state and federal assistance needed to implement the LWRP.

1. FEDERAL ACTIONS AND PROGRAMS

DIRECT FEDERAL ACTIVITIES AND DEVELOPMENT PROJECTS

DEPARTMENT OF COMMERCE

National Marine Fisheries Services

1.00 Fisheries Management Plans

DEPARTMENT OF DEFENSE

Army Corps of Engineers

1.00 Proposed authorizations for dredging, channel improvements, breakwaters, other navigational works, or erosion control structures, beach replenishment, dams or flood control works, ice management practices and activities, and other projects with potential to impact coastal lands and waters.

2.00 Land acquisition for spoil disposal or other purposes.

3.00 Selection of open water disposal sites.

Army, Navy and Air Force

4.00 Location, design, and acquisition of new or expanded defense installations (active or reserve status, including associated housing, transportation or other facilities).

5.00 Plans, procedures and facilities for landing or storage use zones.

6.00 Establishment of impact, compatibility or restricted use zones.

DEPARTMENT OF ENERGY

1.00 Prohibition orders.

GENERAL SERVICES ADMINISTRATION

1.00 Acquisition, location and design of proposed Federal Government property or buildings, whether leased or owned by the Federal Government.

2.00 Disposition of Federal surplus lands and structures.

DEPARTMENT OF INTERIOR

Fish and Wildlife Service

1.00 Management of National Wildlife refuges and proposed acquisitions.

National Park Service

3.00 National Park and Seashore management and proposed acquisitions.

DEPARTMENT OF TRANSPORTATION

Amtrak, Conrail

1.00 Expansions, curtailments, new construction, upgradings or abandonments of railroad facilities or services, in or affecting the State's coastal area.

Coast Guard

2.00 Location and design, construction or enlargement of Coast Guard stations, bases, and lighthouses.

3.00 Location, placement or removal of navigation devices which are not part of the routine operations under the Aids to Navigation Program (ATON).

4.00 Expansion, abandonment, designation or anchorages, lightering areas or shipping lanes and ice management practices and activities.

Federal Aviation Administration

5.00 Location and design, construction, maintenance, and demolition of Federal aids to air navigation.

Federal Highway Administration

6.00 Highway construction.

St. Lawrence Seaway Development Corporation

7.00 Acquisition, location, design, improvement and construction of new and existing facilities for the operation of the Seaway, including traffic safety, traffic control and length of navigation season.

FEDERAL LICENSES AND PERMITS

DEPARTMENT OF DEFENSE

Army Corps of Engineers

- 1.00 Construction of dams, dikes or ditches across navigable waters, or obstruction or alteration of navigable waters required under Sections 9 and 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 401, 403).
- 2.00 Establishment of harbor lines pursuant to Section 11 of the Rivers and Harbors Act of 1899 (33 U.S.C. 404, 405).
- 3.00 Occupation of seawall, bulkhead, jetty, dike, levee, wharf, pier, or other work built by the U.S. pursuant to Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. 408).
- 4.00 Approval of plans for improvements made at private expense under USACE supervision pursuant to the Rivers and Harbors Act of 1902 (33 U.S.C. 565).
- 5.00 Disposal of dredged spoils into the waters of the U.S., pursuant to the Clean Water Act, Section 404, (33 U.S.C. 1344).
- 6.00 All actions for which permits are required pursuant to Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).
- 7.00 Construction of artificial islands and fixed structures in Long Island Sound pursuant to Section 4(f) of the River and Harbors Act of 1912 (33 U.S.C.).

DEPARTMENT OF ENERGY

Economic Regulatory Commission

- 1.00 Regulation of gas pipelines, and licensing of import or export of natural gas pursuant to the Natural Gas Act (15 U.S.C. 717) and the Energy Reorganization Act of 1974.
- 2.00 Exemptions from prohibition orders.

Federal Energy Regulatory Commission

- 3.00 Licenses for non-Federal hydroelectric projects and primary transmission lines under Sections 3(11), 4(e) and 15 of the Federal Power Act (16 U.S.C. 796(11), 797(11) and 808).
- 4.00 Orders for interconnection of electric transmission facilities under Section 202(b) of the Federal Power Act (15 U.S.C. 824a(b)).

5.00 Certificates for the construction and operation of interstate natural gas pipeline facilities, including both pipelines and terminal facilities under Section 7(c) of the Natural Gas Act (15 U.S.C. 717f(c)).

6.00 Permission and approval for the abandonment of natural gas pipeline facilities under Section 7(b) of the Natural Gas Act (15 U.S.C. 717f(b)).

ENVIRONMENTAL PROTECTION AGENCY

1.00 NPDES permits and other permits for Federal installations, discharges in contiguous zones and ocean waters, sludge runoff and aquaculture permits pursuant to Section 401, 402, 403, 405, and 318 of the Federal Water Pollution Control Act of 1972 (33 U.S.C. 1341, 1342, 1343, and 1328).

2.00 Permits pursuant to the Resources Recovery and Conservation Act of 1976.

3.00 Permits pursuant to the underground injection control program under Section 1424 of the Safe Water Drinking Water Act (42 U.S.C. 300h-c).

4.00 Permits pursuant to the Clean Air Act of 1976 (42 U.S.C. 1857).

DEPARTMENT OF INTERIOR

Fish and Wildlife Services

1.00 Endangered species permits pursuant to the Endangered Species Act (16 U.S.C. 153(a)).

Mineral Management Service

2.00 Permits to drill, rights of use and easements for construction and maintenance of pipelines, gathering and flow lines and associated structures pursuant to 43 U.S.C. 1334, exploration and development plans, and any other permits or authorizations granted for activities described in detail in OCS exploration, development, and production plans.

3.00 Permits required for pipelines crossing federal lands, including OCS lands, and associated activities pursuant to the OCS Lands Act (43 U.S.C. 1334) and 43 U.S.C. 931 (c) and 20 U.S.C. 185.

INTERSTATE COMMERCE COMMISSION

1.00 Authority to abandon railway lines (to the extent that the abandonment involves removal of trackage and disposition of right-of-way); authority to construct railroads; authority to construct coal slurry pipelines.

NUCLEAR REGULATORY COMMISSION

- 1.00 Licensing and certification of the siting, construction and operation of nuclear power plans pursuant to Atomic Energy Act of 1954, Title II of the Energy Reorganization Act of 1974 and the National Environmental Policy Act of 1969.

DEPARTMENT OF TRANSPORTATION

Coast Guard

- 1.00 Construction or modification of bridges, causeways or pipelines over navigable waters pursuant to 49 U.S.C. 1455.
- 2.00 Permits for Deepwater Ports pursuant to the Deepwater Ports Act of 1974 (33 U.S.C. 1501).

Federal Aviation Administration

- 3.00 Permits and licenses for construction, operation or alteration of airports.

FEDERAL ASSISTANCE*

DEPARTMENT OF AGRICULTURE

- 10.068 Rural Clean Water Program
- 10.409 Irrigation, Drainage, and Other Soil and Water Conservation Loans
- 10.410 Low to Moderate Income Housing Loans
- 10.411 Rural Housing Site Loans
- 10.413 Recreation Facility Loans
- 10.414 Resource Conservation and Development Loans
- 10.415 Rural Rental Housing Loans
- 10.416 Soil and Water Loans
- 10.418 Water and Waste Disposal Systems for Rural Communities
- 10.419 Watershed Protection and Flood Prevention Loans
- 10.422 Business and Industrial Loans
- 10.423 Community Facilities Loans
- 10.424 Industrial Development Grants
- 10.426 Area Development Assistance Planning Grants
- 10.429 Above Moderate Income Housing Loans
- 10.430 Energy Impacted Area Development Assistance Program
- 10.901 Resource Conservation and Development
- 10.902 Soil and Water Conservation
- 10.904 Watershed Protection and Flood Prevention
- 10.906 River Basin Surveys and Investigations

DEPARTMENT OF COMMERCE

- 11.300 Economic Development - Grants and Loans for Public Works and Development Facilities
- 11.301 Economic Development - Business Development Assistance
- 11.302 Economic Development - Support for Planning Organizations

- 11.304 Economic Development - State and Local Economic Development Planning
- 11.305 Economic Development - State and Local Economic Development Planning
- 11.307 Special Economic Development and Adjustment Assistance Program - Long Term Economic Deterioration
- 11.308 Grants to States for Supplemental and Basic Funding of Titles I, II, III, IV, and V Activities
- 11.405 Anadromous and Great Lakes Fisheries Conservation
- 11.407 Commercial Fisheries Research and Development
- 11.417 Sea Grant Support
- 11.427 Fisheries Development and Utilization - Research and Demonstration Grants and Cooperative Agreements Program
- 11.501 Development and Promotion of Ports and Intermodal Transportation
- 11.509 Development and Promotion of Domestic Waterborne Transport Systems

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

- 14.112 Mortgage Insurance - Construction or Substantial Rehabilitation of Condominium Projects
- 14.115 Mortgage Insurance - Development of Sales Type Cooperative Projects
- 14.117 Mortgage Insurance - Homes
- 14.124 Mortgage Insurance - Investor Sponsored Cooperative Housing
- 14.125 Mortgage Insurance - Land Development and New Communities
- 14.126 Mortgage Insurance - Management Type Cooperative Projects
- 14.127 Mortgage Insurance - Mobile Home Parks
- 14.218 Community Development Block Grants/Entitlement Grants
- 14.219 Community Development Block Grants/Small Cities Program
- 14.221 Urban Development Action Grants
- 14.223 Indian Community Development Block Grant Program

DEPARTMENT OF INTERIOR

- 15.400 Outdoor Recreation - Acquisition, Development and Planning
- 15.402 Outdoor Recreation - Technical Assistance
- 15.403 Disposal of Federal Surplus Real Property for Parks, Recreation, and Historic Monuments
- 15.411 Historic Preservation Grants-In-Aid
- 15.417 Urban Park and Recreation Recovery Program
- 15.600 Anadromous Fish Conservation
- 15.605 Fish Restoration
- 15.611 Wildlife Restoration
- 15.613 Marine Mammal Grant Program
- 15.802 Minerals Discovery Loan Program
- 15.950 National Water Research and Development Program
- 15.951 Water Resources Research and Technology - Assistance to State Institutes
- 15.592 Water Research and Technology - Matching Funds to State Institutes

DEPARTMENT OF TRANSPORTATION

- 20.102 Airport Development Aid Program
- 20.103 Airport Planning Grant Program
- 20.205 Highway Research, Planning, and Construction
- 20.309 Railroad Rehabilitation and Improvement - Guarantee of Obligations
- 20.310 Railroad Rehabilitation and Improvement - Redeemable Preference Shares
- 20.506 Urban Mass Transportation Demonstration Grants
- 20.509 Public Transportation for Rural and Small Urban Areas

GENERAL SERVICES ADMINISTRATION

- 39.002 Disposal of Federal Surplus Real Property

COMMUNITY SERVICES ADMINISTRATION

- 49.002 Community Action
- 49.011 Community Economic Development
- 49.013 State Economic Opportunity Offices
- 49.017 Rural Development Loan Fund
- 49.018 Housing and Community Development (Rural Housing)

SMALL BUSINESS ADMINISTRATION

- 59.012 Small Business Loans
- 59.013 State and Local Development Company Loans
- 59.024 Water Pollution Control Loans
- 59.025 Air Pollution Control Loans
- 59.031 Small Business Pollution Control Financing Guarantee

ENVIRONMENTAL PROTECTION AGENCY

- 66.001 Air Pollution Control Program Grants
- 66.418 Construction Grants for Wastewater Treatment Works
- 66.426 Water Pollution Control - State and Areawide Water Quality Management Planning Agency
- 66.451 Solid and Hazardous Waste Management Program Support Grants
- 66.452 Solid Waste Management Demonstration Grants
- 66.600 Environmental Protection Consolidated Grants Program Support Comprehensive Environmental Response, Compensation and Liability (Super Fund)

*Numbers refer to the Catalog of Federal Domestic Assistance Programs, 1980 and its two subsequent updates.

2. STATE ACTIONS AND PROGRAMS

OFFICE FOR THE AGING

- 1.00 Funding and/or approval programs for the establishment of new or expanded facilities providing various services for the elderly.

DEPARTMENT OF AGRICULTURE AND MARKETS

- 1.00 Agricultural Districts Program.
- 2.00 Rural development programs.
- 3.00 Farm worker services programs.
- 4.00 Permit and approval programs:
 - 4.01 Custom Slaughters/Processor Permit
 - 4.02 Processing Plant License
 - 4.03 Refrigerated Warehouse and/or Locker Plant License

DIVISION OF ALCOHOLIC BEVERAGE CONTROL/STATE LIQUOR AUTHORITY

- 1.00 Permit and approval programs:
 - 1.01 Ball Park - Stadium License
 - 1.02 Bottle Club License
 - 1.03 Bottling Permits
 - 1.04 Brewer's Licenses and Permits
 - 1.05 Brewer's Retail Beer License
 - 1.06 Catering Establishment Liquor License
 - 1.07 Cider Producer's and Wholesaler's Licenses
 - 1.08 Club Beer, Liquor, and Wine Licenses
 - 1.09 Distiller's Licenses
 - 1.10 Drug Store, Eating Place, and Grocery Store Beer Licenses
 - 1.11 Farm Winery and Winery Licenses
 - 1.12 Hotel Beer, Wine, and Liquor Licenses
 - 1.13 Industrial Alcohol Manufacturer's Permits
 - 1.14 Liquor Store License
 - 1.15 On-Premises Liquor License
 - 1.16 Plenary Permit (Miscellaneous-Annual)
 - 1.17 Summer Beer and Liquor Licenses
 - 1.18 Tavern/Restaurant and Restaurant Wine Licenses
 - 1.19 Vessel Beer and Liquor Licenses
 - 1.20 Warehouse Permit
 - 1.21 Wine Store License
 - 1.22 Winter Beer and Liquor Licenses
 - 1.23 Wholesale Beer, Wine, and Liquor Licenses

DIVISION OF ALCOHOLISM AND ALCOHOL ABUSE

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

2.00 Permit and approval programs:

- 2.01 Letter Approval for Certificate of Need
- 2.02 Operating Certificate (Alcoholism Facility)
- 2.03 Operating Certificate - Community Residence
- 2.04 Operating Certificate (Outpatient Facility)
- 2.05 Operating Certificate (Sobering-Up Station)

COUNCIL ON THE ARTS

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

- 2.00 Architecture and environmental arts program.

DEPARTMENT OF BANKING

1.00 Permit and approval programs:

- 1.01 Authorization Certificate (Bank Branch)
- 1.02 Authorization Certificate (Bank Change of Location)
- 1.03 Authorization Certificate (Bank Charter)
- 1.04 Authorization Certificate (Credit Union Change of Location)
- 1.05 Authorization Certificate (Credit Union Charter)
- 1.06 Authorization Certificate (Credit Union Station)
- 1.07 Authorization Certificate (Foreign Banking Corporation Change of Location)
- 1.08 Authorization Certificate (Foreign Banking Corporation Public Accommodations Office)
- 1.09 Authorization Certificate (Investment Company Branch)
- 1.10 Authorization Certificate (Investment Company Change of Location)
- 1.11 Authorization Certificate (Investment Company Charter)
- 1.12 Authorization Certificate (Licensed Lender Change of Location)
- 1.13 Authorization Certificate (Mutual Trust Company Charter)
- 1.14 Authorization Certificate (Private Banker Charter)
- 1.15 Authorization Certificate (Public Accommodation Office - Banks)
- 1.16 Authorization Certificate (Safe Deposit Company Branch)
- 1.17 Authorization Certificate (Safe Deposit Company Change of Location)
- 1.18 Authorization Certificate (Safe Deposit Company Charter)
- 1.19 Authorization Certificate (Savings Bank Charter)
- 1.20 Authorization Certificate (Savings Bank De Novo Branch Office)
- 1.21 Authorization Certificate (Savings Bank Public Accommodations Office)
- 1.22 Authorization Certificate (Savings and Loan Association Branch)
- 1.23 Authorization Certificate (Savings and Loan Association Change of Location)
- 1.24 Authorization Certificate (Savings and Loan Association Charter)
- 1.25 Authorization Certificate (Subsidiary Trust Company Charter)

- 1.26 Authorization Certificate (Trust Company Branch)
- 1.27 Authorization Certificate (Trust Company-Change of Location)
- 1.28 Authorization Certificate (Trust Company Charter)
- 1.29 Authorization Certificate (Trust Company Public Accommodations Office)
- 1.30 Authorization to Establish a Life Insurance Agency
- 1.31 License as a Licensed Lender
- 1.32 License for a Foreign Banking Corporation Branch

CENTRAL NEW YORK REGIONAL TRANSPORTATION AUTHORITY

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Authority.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition.
- 3.00 Increases in special fares for transportation services to public water-related recreation resources.

DEPARTMENT OF COMMERCE

- 1.00 Preparation or revision of statewide or specific plans to address State economic development needs.
- 2.00 Allocation of the state tax-free bonding reserve.

DEPARTMENT OF CORRECTIONAL SERVICES

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

DORMITORY AUTHORITY OF THE STATE OF NEW YORK

- 1.00 Financing of higher education and health care facilities.
- 2.00 Planning and design services assistance program.

EDUCATION DEPARTMENT

- 1.00 Facilities construction, rehabilitation, expansion, demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Certificate of Incorporation (Regents Charter)
 - 2.02 Private Business School Registration
 - 2.03 Private School License
 - 2.04 Registered Manufacturer of Drugs and/or Devices
 - 2.05 Registered Pharmacy Certificate
 - 2.06 Registered Wholesaler of Drugs and/or Devices
 - 2.07 Registered Wholesaler-Repacker of Drugs and/or Devices
 - 2.08 Storekeeper's Certificate

ENERGY PLANNING BOARD AND ENERGY OFFICE

- 1.00 Preparation and revision of the State Energy Master Plan.

NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY

- 1.00 Issuance of revenue bonds to finance pollution abatement modifications in power-generation facilities and various energy projects.

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of lands under the jurisdiction of the Department.
- 2.00 Classification of Waters Program; classification of land areas under the Clean Air Act.
- 3.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 4.00 Financial assistance/grant programs:
 - 4.01 Capital projects for limiting air pollution
 - 4.02 Cleanup of toxic waste dumps
 - 4.03 Flood control, beach erosion and other water resource projects
 - 4.04 Operating aid to municipal wastewater treatment facilities
 - 4.05 Resource recovery and solid waste management capital projects
 - 4.06 Wastewater treatment facilities
- 5.00 Funding assistance for issuance of permits and other regulatory activities (New York City only).
- 6.00 Implementation of the Environmental Quality Bond Act of 1972, including:
 - (a) Water Quality Improvement Projects
 - (b) Land Preservation and Improvement Projects including Wetland Preservation and Restoration Projects, Unique Area Preservation Projects, Metropolitan Parks Projects, Open Space Preservation Projects and Waterways Projects.
- 7.00 Marine Finfish and Shellfish Programs.
- 8.00 New York Harbor Drift Removal Project.
- 9.00 Permit and approval programs:
 - 9.01 Certificate of Approval for Air Pollution Episode Action Plan
 - 9.02 Certificate of Compliance for Tax Relief - Air Pollution Control Facility

- 9.03 Certificate to Operate: Stationary Combustion Installation; Incinerator; Process, Exhaust or Ventilation System
- 9.04 Permit for Burial of Radioactive Material
- 9.05 Permit for Discharge of Radioactive Material to Sanitary Sewer
- 9.06 Permit for Restricted Burning
- 9.07 Permit to Construct: a Stationary Combustion Installation; Incinerator; Indirect Source of Air Contamination; Process, Exhaust or Ventilation System
- 9.08 Approval of Plans and Specifications for Wastewater Treatment Facilities.
- 9.09 Certificate to Possess and Sell Hatchery Trout in New York State
- 9.10 Commercial Inland Fisheries Licenses
- 9.11 Fishing Preserve License
- 9.12 Fur Breeder's License
- 9.13 Game Dealer's License
- 9.14 Licenses to Breed Domestic Game Animals
- 9.15 License to Possess and Sell Live Game
- 9.16 Permit to Import, Transport and/or Export under Section 184.1 (11-0511)
- 9.17 Permit to Raise and Sell Trout
- 9.18 Private Bass Hatchery Permit
- 9.19 Shooting Preserve Licenses
- 9.20 Taxidermy License
- 9.21 Certificate of Environmental Safety (Liquid Natural Gas and Liquid Petroleum Gas)
- 9.22 Floating Object Permit
- 9.23 Marine Regatta Permit
- 9.24 Mining Permit
- 9.25 Navigation Aid Permit
- 9.26 Permit to Plug and Abandon (a non-commercial oil, gas or solution mining well)
- 9.27 Permit to Use Chemicals for the Control or Elimination of Aquatic Insects
- 9.28 Permit to Use Chemicals for the Control or Elimination of Aquatic Vegetation
- 9.29 Permit to Use Chemicals for the Control or Extermination of Undesirable Fish
- 9.30 Underground Storage Permit (Gas)
- 9.31 Well Drilling Permit (Oil, Gas, and Solution Salt Mining)
- 9.32 Digger's Permit (Shellfish)
- 9.33 License of Menhaden Fishing Vessel
- 9.34 License for Non-Resident Food Fishing Vessel
- 9.35 Non-Resident Lobster Permit
- 9.36 Marine Hatchery and/or Off-Bottom Culture Shellfish Permits
- 9.37 Permits to Take Blue-Claw Crabs
- 9.38 Permit to Use Pond or Trap Net
- 9.39 Resident Commercial Lobster Permit
- 9.40 Shellfish Bed Permit
- 9.41 Shellfish Shipper's Permits
- 9.42 Special Permit to Take Surf Clams from Waters other than the Atlantic Ocean
- 9.43 Approval - Drainage Improvement District

- 9.44 Approval - Water (Diversions for) Power
 - 9.45 Approval of Well System and Permit to Operate
 - 9.46 Permit - Article 15, (Protection of Water) - Dam
 - 9.47 Permit - Article 15, (Protection of Water) - Dock, Pier or Wharf
 - 9.48 Permit - Article 15, (Protection of Water) - Dredge or Deposit Material in a Waterway
 - 9.49 Permit - Article 15, (Protection of Water) - Stream Bed or Bank Disturbances
 - 9.50 Permit - Article 15, Title 15 (Water Supply)
 - 9.51 Permit - Article 24, (Freshwater Wetlands)
 - 9.52 Permit - Article 25, (Tidal Wetlands)
 - 9.53 River Improvement District approvals
 - 9.54 River Regulatory District approvals
 - 9.55 Well Drilling Certificate of Registration
 - 9.56 Permit to Construct and/or Operate a Solid Waste Management Facility
 - 9.57 Septic Tank Cleaner and Industrial Waste Collector Permit
 - 9.58 Approval of Plans for Wastewater Disposal Systems
 - 9.59 Certificate of Approval of Realty Subdivision Plans
 - 9.60 Certificate of Compliance (Industrial Wastewater Treatment Facility)
 - 9.61 Letters of Certification for Major Onshore Petroleum Facility Oil Spill Prevention and Control Plan
 - 9.62 Permit - Article 36, (Construction in Flood Hazard Areas)
 - 9.63 Permit for State Agency Activities for Development in Coastal Erosion Hazards Areas
 - 9.64 Permit Granted (for Use of State Maintained Flood Control Land)
 - 9.65 State Pollutant Discharge Elimination System (SPDES) Permit
 - 9.66 401 Water Quality Certification
- 10.00 Preparation and revision of Air Pollution State Implementation Plan.
 - 11.00 Preparation and revision of Continuous Executive Program Plan.
 - 12.00 Preparation and revision of Statewide Environmental Plan.
 - 13.00 Protection of Natural and Man-made Beauty Program.
 - 14.00 Urban Fisheries Program.
 - 15.00 Urban Forestry Program.
 - 16.00 Urban Wildlife Program.

ENVIRONMENTAL FACILITIES CORPORATION

- 1.00 Financing program for pollution control facilities for industrial firms and small businesses.

FACILITIES DEVELOPMENT CORPORATION

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

OFFICE OF GENERAL SERVICES

- 1.00 Administration of the Public Lands Law for acquisition and disposition of lands, grants of land and grants or easement of land under water, issuance of licenses for removal of materials from lands under water, and oil and gas leases for exploration and development.
- 2.00 Administration of Article 4-B, Public Buildings Law, in regard to the protection and management of State historic and cultural properties and State uses of buildings of historic, architectural or cultural significance.
- 3.00 Facilities construction, rehabilitation, expansion, or demolition.

DEPARTMENT OF HEALTH

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Approval of Completed Works for Public Water Supply Improvements
 - 2.02 Approval of Plans for Public Water Supply Improvements.
 - 2.03 Certificate of Need (Health Related Facility - except Hospitals)
 - 2.04 Certificate of Need (Hospitals)
 - 2.05 Operating Certificate (Diagnostic and Treatment Center)
 - 2.06 Operating Certificate (Health Related Facility)
 - 2.07 Operating Certificate (Hospice)
 - 2.08 Operating Certificate (Hospital)
 - 2.09 Operating Certificate (Nursing Home)
 - 2.10 Permit to Operate a Children's Overnight or Day Camp
 - 2.11 Permit to Operate a Migrant Labor Camp
 - 2.12 Permit to Operate as a Retail Frozen Dessert Manufacturer
 - 2.13 Permit to Operate a Service Food Establishment
 - 2.14 Permit to Operate a Temporary Residence/Mass Gathering
 - 2.15 Permit to Operate or Maintain a Swimming Pool or Public Bathing Beach
 - 2.16 Permit to Operate Sanitary Facilities for Realty Subdivisions
 - 2.17 Shared Health Facility Registration Certificate

DIVISION OF HOUSING AND COMMUNITY RENEWAL and its subsidiaries and affiliates

- 1.00 Facilities construction, rehabilitation, expansion, or demolition.

2.00 Financial assistance/grant programs:

- 2.01 Federal Housing Assistance Payments Programs (Section 8 Programs)
- 2.02 Housing Development Fund Programs
- 2.03 Neighborhood Preservation Companies Program
- 2.04 Public Housing Programs
- 2.05 Rural Initiatives Grant Program
- 2.06 Rural Preservation Companies Program
- 2.07 Rural Rental Assistance Program
- 2.08 Special Needs Demonstration Projects
- 2.09 Urban Initiatives Grant Program
- 2.10 Urban Renewal Programs

3.00 Preparation and implementation of plans to address housing and community renewal needs.

HOUSING FINANCE AGENCY

- 1.00 Funding programs for the construction, rehabilitation, or expansion of facilities.

JOB DEVELOPMENT AUTHORITY

- 1.00 Financing assistance programs for commercial and industrial facilities.

MEDICAL CARE FACILITIES FINANCING AGENCY

- 1.00 Financing of medical care facilities.

OFFICE OF MENTAL HEALTH

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Operating Certificate (Community Residence)
 - 2.02 Operating Certificate (Family Care Homes)
 - 2.03 Operating Certificate (Inpatient Facility)
 - 2.04 Operating Certificate (Outpatient Facility)

OFFICE OF MENTAL RETARDATION AND DEVELOPMENT DISABILITIES

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Establishment and Construction Prior Approval
 - 2.02 Operating Certificate Community Residence
 - 2.03 Outpatient Facility Operating Certificate

DIVISION OF MILITARY AND NAVAL AFFAIRS

- 1.00 Preparation and implementation of the State Disaster Preparedness Plan.

NATURAL HERITAGE TRUST

- 1.00 Funding program for natural heritage institutions.

OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION (including Regional State Park Commissions)

- 1.00 Acquisition, disposition, lease, grant of easement or other activities related to the management of land under the jurisdiction of the Office.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 3.00 Funding program for recreational boating, safety and enforcement.
- 4.00 Funding program for State and local historic preservation projects.
- 5.00 Land and Water Conservation Fund programs.
- 6.00 Nomination of properties to the Federal and/or State Register of Historic Places.
- 7.00 Permit and approval programs:
 - 7.01 Floating Objects Permit
 - 7.02 Marine Regatta Permit
 - 7.03 Navigation Aide Permit
 - 7.04 Posting of Signs Outside State Parks
- 8.00 Preparation and revision of the Statewide Comprehensive Outdoor Recreation Plan and the Statewide Comprehensive Historic Preservation Plan and other plans for public access, recreation, historic preservation or related purposes.
- 9.00 Recreation services programs.
- 10.00 Urban Cultural Parks Program.

PORT OF OSWEGO AUTHORITY

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Authority.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition.

POWER AUTHORITY OF THE STATE OF NEW YORK

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Authority.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition.

NEW YORK STATE SCIENCE AND TECHNOLOGY FOUNDATION

- 1.00 Corporation for Innovation Development Program.
- 2.00 Center for Advanced Technology Program.

DEPARTMENT OF SOCIAL SERVICES

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Homeless Housing and Assistance Program.
- 3.00 Permit and approval programs:
 - 3.01 Certificate of Incorporation (Adult Residential Care Facilities)
 - 3.02 Operating Certificate (Children's Services)
 - 3.03 Operating Certificate (Enriched Housing Program)
 - 3.04 Operating Certificate (Home for Adults)
 - 3.05 Operating Certificate (Proprietary Home)
 - 3.06 Operating Certificate (Public Home)
 - 3.07 Operating Certificate (Special Care Home)
 - 3.08 Permit to Operate a Day Care Center

DEPARTMENT OF STATE

- 1.00 Appalachian Regional Development Program.
- 2.00 Coastal Management Program.
- 3.00 Community Services Block Grant Program.
- 4.00 Permit and approval programs:
 - 4.01 Billiard Room License
 - 4.02 Cemetery Operator
 - 4.03 Uniform Fire Prevention and Building Code

STATE UNIVERSITY CONSTRUCTION FUND

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

STATE UNIVERSITY OF NEW YORK

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the University.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition.

DIVISION OF SUBSTANCE ABUSE SERVICES

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Certificate of Approval(Substances Abuse Services Program)

DEPARTMENT OF TRANSPORTATION

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Department.
- 2.00 Construction, rehabilitation, expansion, or demolition of facilities, including but not limited to:
 - (a) Highways and parkways
 - (b) Bridges on the State highways system
 - (c) Highway and parkway maintenance facilities
 - (d) Barge Canal
 - (e) Rail facilities
- 3.00 Financial assistance/grant programs:
 - 3.01 Funding programs for construction/reconstruction and reconditioning/preservation of municipal streets and highways (excluding routine maintenance and minor rehabilitation)
 - 3.02 Funding programs for development of the ports of Albany, Buffalo, Oswego, Ogdensburg and New York
 - 3.03 Funding programs for rehabilitation and replacement of municipal bridges
 - 3.04 Subsidies program for marginal branchlines abandoned by Conrail
 - 3.05 Subsidies program for passenger rail service
- 4.00 Permits and approval programs:
 - 4.01 Approval of applications for airport improvements (construction projects)
 - 4.02 Approval of municipal applications for Section 18 Rural and Small Urban Transit Assistance Grants(construction projects)

- 4.03 Approval of municipal or regional transportation authority applications for funds for design, construction and rehabilitation of omnibus maintenance and storage facilities
- 4.04 Approval of municipal or regional transportation authority applications for funds for design and construction of rapid transit facilities
- 4.05 Certificate of Convenience and Necessity to Operate a Railroad
- 4.06 Highway Work Permits
- 4.07 License to Operate Major Petroleum Facilities
- 4.08 Outdoor Advertising Permit (for off-premises advertising signs adjacent to interstate and primary highway)
- 4.09 Permits for Use and Occupancy of N.Y. State Canal Lands [except Regional Permits (Snow Dumping)]
- 4.10 Real Property Division Permit for Use of State-Owned Property

5.00 Preparation or revision of the Statewide Master Plan for Transportation and sub-area or special plans and studies related to the transportation needs of the State.

6.00 Water Operation and Maintenance Program--Activities related to the containment of petroleum spills and development of an emergency oil-spill control network.

URBAN DEVELOPMENT CORPORATION and its subsidiaries and affiliates

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Corporation.
- 2.00 Construction, rehabilitation, expansion, or demolition of residential, commercial, industrial, and civic facilities and the funding of such activities, including but not limited to actions under the following programs:
 - (a) Tax-Exempt Financing Program
 - (b) Lease Collateral Program
 - (c) Lease Financial Program
 - (d) Targeted Investment Program
 - (e) Industrial Buildings Recycling Program

DIVISION OF YOUTH

- 1.00 Facilities construction, rehabilitation, expansion, or demolition and the funding or approval of such activities.

B. SPECIFIC KEY IMPLEMENTATION ACTIONS

The following is a listing of specific actions and projects necessary to further specific elements of the Oswego LWRP. The actions and projects are to be undertaken by local, state or federal agencies and, in some cases, dollar estimates are available on the project cost for implementing that portion of the program. In subsection C that follows, a general listing is presented of federal and state actions and programs which could further the LWRP implementation.

Specific Key Implementation Actions and Programs

<u>Proposed Action on Project</u>	<u>Agency Program</u>
Linear Park (connects with opportunity sites #4,6,8)	\$2.07 million is being sought from all potential funding sources.
Wright's Landing, Phase IV	\$95,000 is being sought on a 50% matching basis from the NYS Department of Parks, Recreation and Historic Preservation, Land and Water Conservation Funds.
Port of Oswego Improvements	\$1.4 million is being sought from the U.S. Army Corps of Engineers for harbor dredging.
Coal Pier Improvements	Funding source not identified; cost estimates not available.
Housing Site Analysis	NYS Department of Housing & Community Renewal.
Priority Listing UDAG Sites	City general fund/City Community Development Program.
Fitzgibbons Building Site Analysis	Port of Oswego Authority/Operation Oswego County, Inc.
Foreign Trade Zone Feasibility	Operation Oswego County, Inc.

C. FEDERAL AND STATE ACTIONS AND PROGRAMS WHICH COULD FURTHER THE LWRP

1. FEDERAL ACTIONS AND PROGRAMS

a. DEPARTMENT OF COMMERCE, ECONOMIC DEVELOPMENT ADMINISTRATION

- (1) Provides planning grants to develop the capability of state and local governments to undertake economic development planning.
- (2) Provides grants to locals for construction of public facilities to encourage economic growth in designated areas.
- (3) Provides loans to sustain industrial and commercial viability in designated depressed areas by providing financial assistance to businesses that create or retain permanent jobs or establish plants in redevelopment areas where financial assistance is not available elsewhere.
- (4) Provides grants to planning agencies to foster multi-county district and redevelopment area economic development planning.

b. DEPARTMENT OF COMMERCE, OFFICE OF OCEAN AND COASTAL RESOURCES MANAGEMENT

- (1) Assists states in administering an approved Coastal Management Program.
- (2) Provides grants and loans to states with approved coastal management programs to offset the effects of coastal energy activity.

c. DEPARTMENT OF DEFENSE, AIR FORCE, ARMY AND NAVY

- (1) Donations of surplus property, facilities or equipment.

d. DEPARTMENT OF DEFENSE, ARMY CORPS OF ENGINEERS

- (1) Construction projects to assist in repair and restoration of flood or control works damaged by flood, or federally authorized hurricane flood and shore protection works damaged by acts of nature.
- (2) Construction projects to provide the most practical and economic means of meeting general navigation needs.
- (3) Construction projects to reduce flood damage.
- (4) Construction projects to provide bank protection of highways, highway bridges, and essential public works endangered by flood caused erosion.
- (5) Control of beach and shore erosion to public shores through small construction projects.
- (6) Construction projects to reduce flood damage.
- (7) Construction projects to restore channels for navigation or flood control.

e. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, COMMUNITY PLANNING AND DEVELOPMENT OFFICE

- (1) Provides grants to assist distressed cities and other eligible areas to increase public and private investment that strengthens the economy, employment, and tax base.
- (2) Provides grants to eligible activities which must (a) benefit low and moderate-income persons, (b) aid in prevention or elimination of slums or blight, or (c) meet other community development needs having urgency.
- (3) Provides loans for the revitalization of neighborhoods and for rehabilitation of residential properties with five or more units and for homestead properties in designated homestead areas.
- (4) Provides direct payments to aid lower-income families to obtain adequate housing.
- (5) Provides project grants to develop viable urban communities by providing decent housing, a suitable living environment, and expanded economic opportunities, principally for low and moderate-income people.
- (6) Provides project grants to rehabilitate rental units for lower-income tenants.
- (7) Provides for the sale, exchange or donation of property to provide home-ownership opportunities and to revitalize neighborhoods.

f. DEPARTMENT OF THE INTERIOR, FISH AND WILDLIFE SERVICE

- (1) Provides grants to support projects designed to improve and manage sport fish programs for preservation and improvement of sport fishing and related activities. Popular name: Dingell - Johnson Program.

g. DEPARTMENT OF TRANSPORTATION, FEDERAL HIGHWAY ADMINISTRATION

- (1) Construction and rehabilitation of interstate and primary, secondary, and urban highways and to replace or rehabilitate bridges.
- (2) Provides grants to beautify highways and vicinities including control of junkyards and billboards.

h. DEPARTMENT OF TRANSPORTATION, COAST GUARD

- (1) Improve safe operation and use of boats by providing technical information and training.

i. ENVIRONMENTAL PROTECTION AGENCY, OFFICE OF WATER

- (1) Provides grants to assist in construction of municipal sewage treatment works to meet State and federal water quality standards.

j. FEDERAL EMERGENCY MANAGEMENT AGENCY, STATE AND LOCAL PROGRAMS AND SUPPORT OFFICE

- (1) Purchase of property for open space to reduce future flood insurance and disaster assistance by providing an opportunity for repetitively and substantially damaged structures of policyholders to be permanently removed from flood risk areas.

k. NATIONAL ENDOWMENT FOR THE ARTS

- (1) Provides grants to promote excellence in design by funding activities in architecture, landscape architecture, urban design and planning.

1. NATIONAL PARK SERVICE

- (1) Provides grants to expand and maintain the National Register of Historic Places, to assist in identification, evaluation and protection of historic properties, for preservation for public benefit of National Register properties, and to provide matching grants to the National Trust for Historic Preservation.
- (2) Provides grants for rehabilitation of recreation areas and facilities in economically hard-pressed communities and for recreation planning.
- (3) Provides grants to assist with preparation of outdoor recreation plans and for acquisition and development of outdoor recreation areas and facilities.
- (4) Donations and sales of surplus federal property for public park and recreation use and for historic monument use.
- (5) Provides technical assistance to states, local governments and private interests including non-profit recreation organizations.
- (6) Provides technical assistance in preservation and maintenance of historic properties.
- (7) Provides advice to expand and maintain the National Register of sites, buildings, districts, structures and objects of historical, architectural, engineering, archeological and/or cultural significance.
- (8) Provides advice to identify and mark nationally significant historic properties.

2. STATE ACTIONS AND PROGRAMS

a. DEPARTMENT OF ENVIRONMENTAL CONSERVATION

- (1) Coastal Erosion Hazard Areas Regulations
- (2) Freshwater Wetlands Regulations
- (3) Fish Propagation and Management Program
- (4) Wildlife Propagation and Management Program
- (5) Fish and Wildlife Management Act
- (6) Public Access to Fishing Areas Program
- (7) Protection of Natural and Man-made Beauty Program
- (8) Protection of Waters Program
- (9) State Pollutant Discharge Elimination System
- (10) Permits for Sources of Air Pollution
- (11) Indirect Source Control Program
- (12) Oil Spill Prevention, Control and Compensation Program

b. DEPARTMENT OF STATE

- (1) Local Waterfront Revitalization Programs

c. STATE ENERGY OFFICE

(1) Energy Law Regulations

d. STATE ENVIRONMENTAL QUALITY REVIEW ACT

(1) Preparation of Environmental Impact Statements

e. ST. LAWRENCE - EASTERN ONTARIO COMMISSION

(1) Project review and technical assistance

SECTION VII

CONSULTATION WITH OTHER AFFECTED FEDERAL. STATE.
REGIONAL. AND LOCAL AGENCIES

CONSULTATION WITH OTHER AFFECTED FEDERAL, STATE, REGIONAL AND LOCAL AGENCIES

The governmental agencies having an interest with an announcement of the forthcoming publication of the draft LWRP were contacted in May, 1984. (See 31 May 1984 Memorandum attached). Those agencies wishing to review the document were requested to contact the Regional Planning Board. Responses were received from the following:

1. NYS Facilities Development Corporation
2. NYS Department of Parks, Recreation and Historic Preservation
3. U.S. Fish and Wildlife Service
4. NYS Department of Environmental Conservation
5. Dormitory Authority of the State of New York
6. NYS Emergency Management Office
7. NYS Urban Development Corporation
8. State University Construction Fund
9. NYS Energy Research and Development Authority
10. St. Lawrence - Eastern Ontario Commission

The responsibility for further consultation with cognizant agencies has been assumed by the NYS Department of State, as part of its state agency coordination activities.

Review comments on the Draft LWRP and Draft Environmental Impact Statement received at a public hearing and/or in writing were analyzed by the City Common Council, Local Waterfront Revitalization Advisory Committee and Regional Planning Board Staff. The comments received and resulting changes made in the Draft LWRP document are detailed in the Final Environmental Impact Statement for the LWRP, which is kept on file for public inspection at the City Clerk's Office.



Central New York Regional Planning & Development Board

90 Presidential Plaza, Suite 122
Syracuse, New York 13202 (315) 422-8276

Natalie W. Gustafson, Chairwoman
Gary G. Hayes, Executive Director

31 May 1984

M E M O R A N D U M

TO: Federal & State Agencies with Programs Potentially Affecting
Waterfront Revitalization

FROM: Central New York Regional Planning and Development Board
Barbara B. Whispell, Director of Planning *B.B.W.*

RE: City of Oswego, Oswego County, New York
Local Waterfront Revitalization Program

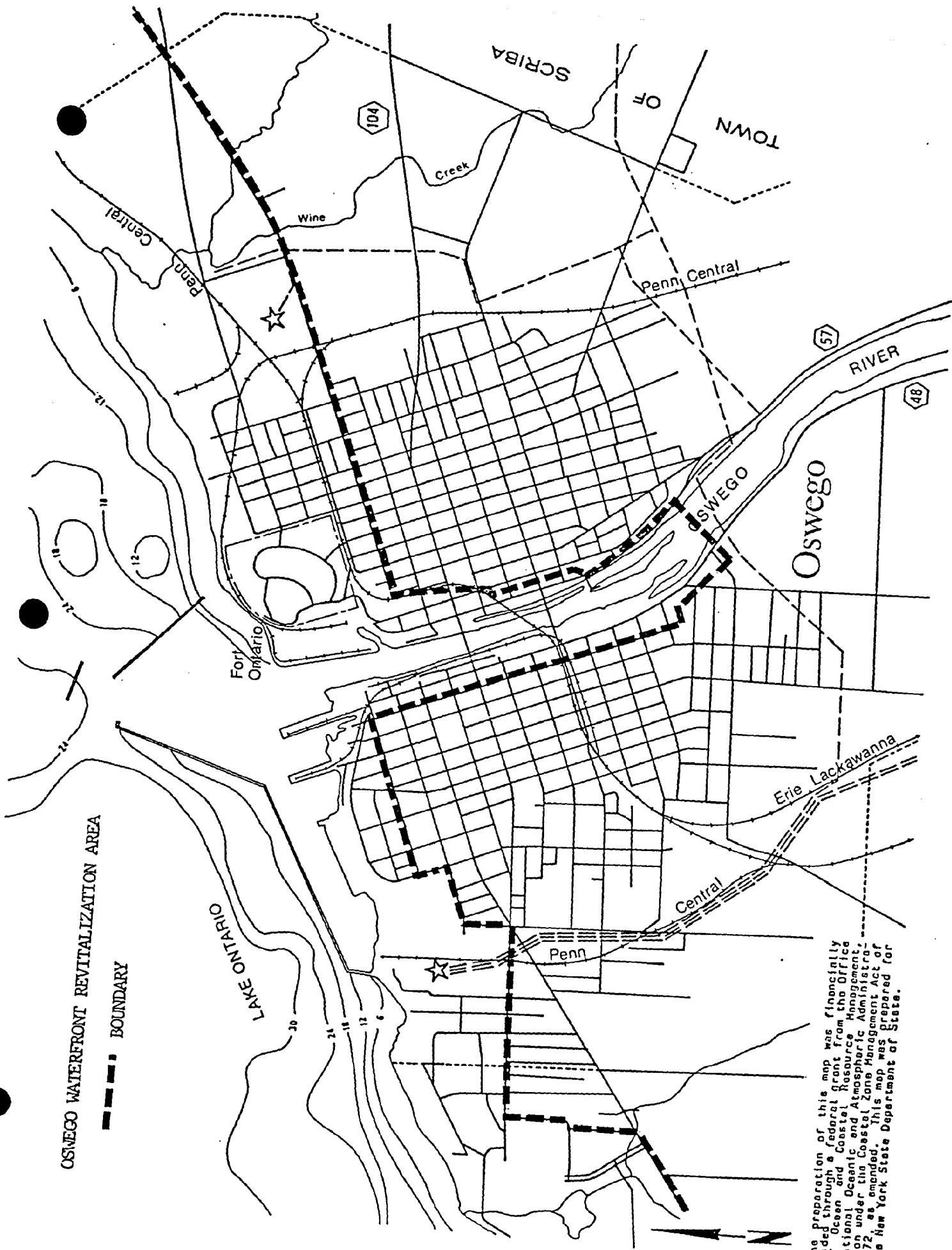
The City of Oswego, in cooperation with the NYS Department of State and the Central New York Regional Planning and Development Board, is in the process of developing a Local Waterfront Revitalization Program (LWRP) for the area shown on the attached map. The LWRP establishes policies and guidelines for future development/redevelopment within this area. As an agency administering programs which, at some future date, could affect the City's waterfront revitalization efforts, you may wish to review the Draft LWRP report. We expect the report to be available for review and comment on 15 June 1984.

If you would like to receive a copy of the report for review, please let us know by 10 June. Requests should be directed to:

Benjamin D. Manton, Principal Planner
Central New York Regional Planning and Development Board
90 Presidential Plaza, Suite 122
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(315) 422-8276

BBW:jeh
Enclosure



OSWEGO WATERFRONT REVITALIZATION AREA

--- BOUNDARY

The preparation of this map was financially aided through a federal grant from the Office of Ocean and Coastal Resource Management, National Oceanic and Atmospheric Administration under the Coastal Zone Management Act of 1972, as amended. This map was prepared for the New York State Department of State.

SECTION VIII

LOCAL COMMITMENT

Local Commitment

Local commitment and support for the Oswego LWRP has been undertaken by the Oswego Waterfront Revitalization Program Advisory Committee. The Committee was the LWRP support group, consisting of elected officials, public agency and private industry representatives, members of private groups, and individuals interested in the waterfront.

The Advisory Committee was responsible for developing broad-based support for, and commitment to, the LWRP and the alternatives selected for resolving the issues concerning how the waterfront area can be developed to achieve a compatible mixture of industrial, commercial, recreational or other uses; allow for active use of the water by commercial shipping interests and the Port Authority operations; and, provide for pleasure boating and shoreline fishing.

The Committee also ensured public participation in the preparation of the LWRP and provided a vehicle for coordinating the LWRP with the Port of Oswego Development Study, as well as other waterfront activities being undertaken, such as the City's development of Wright's Landing, the Oswego Maritime Foundation's development of the Boating Education Center, and the development of the West Bank Linear Park and the design of the East Bank Park.

See attached roster for Committee membership.

In this manner, significant contributions of time, interest and expertise were drawn from Oswego's businessmen and residents into the preparation of the Local Waterfront Revitalization Program. Citizen input improved the data base, verified program information, evaluated various alternatives and expressed the values and concerns of the community.

Following the completion of the draft program, the Advisory Committee formally approved the draft and forwarded it to the City Common Council. Upon approval of the City Common Council, the draft document, including the draft Environmental Impact Statement (EIS), were submitted to the NYS Department of State for distribution to federal and State agencies for a 60-day review period, required by NYS Executive Law, Article 42. At the same time the draft documents were filed and distributed as required by the NYS Environmental Quality Review Act. As a result, there were a number of comments received from which further revisions and refinements were described in the final EIS and incorporated into the final LWRP document. The final program document, then, was adopted by the City Common Council and submitted to the NYS Secretary of State for approval.

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APPENDIX

Footnote Number 1 for Section III (Local Policies and Applicable State Policies) states that in determining consistency with the New York State Coastal Management Program (NYS CMP), federal agencies should consult the NYS CMP and Final Environmental Impact Statement (FEIS), or an appendix to the Oswego Waterfront Revitalization Program, for the text of those policies identified by the phrase "Not Included in the Local Program." Those policies identified as "Not Included in the Local Program" for Oswego are policies 27, 29, 42 and 43. The text of these four policies as extracted from the NYS CMP and FEIS, are as follows:

POLICY 27 Decisions on the siting and construction of major energy facilities in the coastal area will be based on public energy needs, compatibility of such facilities with the environment, and the facility's need for a shorefront location.

A. Explanation of Policy

Demand for energy in New York will increase, although at a rate slower than previously predicted. The State expects to meet these energy demands through a combination of conservation measures; traditional and alternative technologies; and use of various fuels including coal in greater proportion.

A determination of public need for energy is the first step in the process for siting any new facilities. The directives for determining this need are contained primarily in Article 5 of the New York State Energy Law. That Article requires the preparation of a State Energy Master Plan. With respect to transmission lines and steam electric generating facilities, Articles VII and VIII of the State's Public Service Law require additional forecasts and establish the basis for determining the compatibility of these facilities with the environment and the necessity for a shorefront location. The policies derived from the siting regulations under these Articles are entirely consistent with the general coastal zone policies derived from other laws, particularly the regulations promulgated pursuant to the Waterfront Revitalization and Coastal Resources Act. That Act is used for the purposes of ensuring consistency with the Coastal Management Program.

The Department of State will comment on the State Energy Master Plan; present testimony for the record during relevant certification proceedings under Articles VII and VIII of the PSL; and use the State SEQR and DOS regulations to ensure that decisions on other proposed energy facilities (other than transmission facilities and steam electric generating plants) which would impact the coastal area are made consistent with coastal policies.

B. State Means for Implementing the Policy

1. Energy Law (Article 5)

Under this law an Energy Planning Board was established. As required, the Board prepared and adopted the first State Energy Master Plan which is currently in effect. The Board is now considering an updated plan. See Section 7 of this document for a more detailed discussion of this plan.

2. Public Service Law (Article VIII) - Siting of Major Steam Electric Generating Facilities

Before preparation of a site or the construction of a major steam electric generating facility can commence, a Certificate of Environmental Compatibility and Public Need must be issued by the New York State Board on Electric Generation Siting and the Environment. This process is described in detail in Section 7. In granting this certificate, the Board must determine that the facility:

- o Represents the minimum adverse environmental impact, considering the state of available technology; the nature and economics of the various alternatives; and the interests of the state with respect to aesthetics, preservation of historic sites, forests and parks, fish and wildlife, and viable agricultural lands;
- o Complies with applicable State laws concerning, among other matters, the environment and public health and safety;
- o Serves the public interest, convenience and necessity.

The regulations which implement Article VIII and govern the Board's decision (see Appendix A, #7) assure that this decision will be compatible with the policies articulated in this document, both those relating to environmental protection and to economic development.

To further ensure compatibility, the Department of State will review applications and may present testimony during proceedings

involving facilities proposed to be sited in coastal areas. When reviewing applications, the Department will examine the required description of reasonable alternate locations as well as the rationale for the preferred site, particularly with respect to potential land uses on or near the proposed site, and the justification for the amount of shore-front land to be used. Proposed uses which are likely to be regarded by the Department as requiring a shorefront location include:

- o Uses involved in sea/land transfer of goods (docks, pipelines, short term storage facilities);
- o Uses requiring large quantities of water (hydroelectric power plants, pumped storage power plants); and,
- o Uses that rely heavily on waterborne transportation of raw materials or products which are difficult to transport on land.

3. Public Service Law (Article VII) - Siting of Major Utility Transmission Facilities

Prior to the construction of a major electric or fuel gas transmission facility, a Certificate of Environmental Compatibility and Public Need must be granted by the Public Service Commission. See Section 7 of this document for a detailed description of this process. In issuing a certificate, the Commission must determine that the facility:

- o Represents the minimum adverse environmental impact, considering the state of available technology and the nature and economics of the various alternatives;
- o Conforms with applicable State laws;
- o Serves the public interest, convenience and necessity.

As with steam electric generating plants, the Department of State will review applications and may present testimony during proceedings involving transmission facilities proposed to be sited in the coastal area. The Department will examine the same matters as under Article VIII. It will also use the same

criteria to determine the need for a shore-front location and the consistency of the proposal with coastal policies.

Interstate transmission facilities, such as gas and petroleum pipelines, coal slurry pipelines and electric transmission lines associated with hydroelectric facilities, are regulated by Federal agencies. Through Federal consistency provisions, such facilities will be sited in a manner that is consistent with the Program's policies.

4. Environmental Conservation Law (Article 23, Title 17) - Liquefied Natural and Petroleum Gas

All liquefied natural gas (LNG) and liquefied petroleum gas (LPG) facilities, must obtain an environmental safety permit before construction and operation. For a permit to be granted, it must be shown that such facilities would not endanger residential areas and contiguous populations and would otherwise conform to siting criteria established by the Department of Environmental Conservation. During the review of proposed projects, consideration is given to: the location of the proposed facility; the design and capacity of the facility; expected sources of the gas; methods of transporting gas to and from the facility and transportation routes; the public need for the facility; its environmental impacts; and, descriptions of reasonable alternate locations for the facility.

5. Waterfront Revitalization and Coastal Resources Act, Executive Law (Article 42)

Section 919 of Article 42 requires 1) that State agencies' actions, including direct energy development activities such as those undertaken by the Power Authority of the State of New York, must be consistent with the environmental protection and development policies of this act. This provision of law is implemented by amendments to SEQRA (below) and by DOS regulations. DOS regulations (19 NYCRR Part 600) provide that, for their direct actions which do not have a significant effect on the environment, State agencies certify that the action is consistent with the coastal policies, 2) that the Secretary of State shall review actions

of State agencies that may affect achievement of the policy, and 3) that SEQR regulations be amended to reflect consideration of coastal resources.

Section 2 of the Act requires that State agencies analyze their programs' consistency with coastal policies and that the Secretary of State recommend any needed modifications to the Governor and the Legislature.

6. State Environmental Quality Review Act, Environmental Conservation Law (Article 8)

Under the State Environmental Quality Review Act, State agencies and local governments are required to prepare an environmental impact statement for any action that might have a significant impact upon the environment. This requirement applies to large scale energy facilities other than transmission lines and steam electric generating plants as described above. The environment is broadly defined to include existing patterns of development and land resources. Actions which have been subject to an environmental impact statement must, consistent with social, economic, and other essential considerations, minimize or avoid, to the maximum extent practicable, the adverse environmental effects revealed in the impact statement (ECL §8-0109-8). In addition, pursuant to Article 42 of the Executive Law, SEQR regulations are amended to require that for actions by a State agency for which an EIS has been prepared, such actions shall be consistent with the coastal policies.

7. Water Resources Law, Environmental Conservation Law (Article 15)

Proposals, including those to construct all pipelines, which would excavate or deposit fill in any navigable waters and adjacent marshes and estuaries of the State require permits issued by the Department of Environmental Conservation.

8. Tidal Wetlands Act, Environmental Conservation Law (Article 25)

The Tidal Wetlands Act requires that a permit be issued for uses, including oil pipelines, in identified tidal wetlands. It must be demonstrated that proposed facilities will

not adversely affect water quality, flood and storm control, marine food production, wildlife habitats, open space, and aesthetically significant areas.

9. Freshwater Wetlands Act, Environmental Conservation Law (Article 24)

The Freshwater Wetlands Act requires that a permit be issued for uses, including oil pipelines, in identified freshwater wetlands. It must be demonstrated that proposed facilities will not adversely affect water quality, flood and storm control, erosion control, subsurface water resources, wildlife habitats, freshwater fish sanctuaries, open space, and aesthetically significant areas.

10. Oil Spill Prevention, Control and Compensation, Navigation Law (Article 12, Section 170 et. seq.)

This Article provides for the protection of the State's environment and economy by preventing unregulated discharge of petroleum from major facilities; by authorizing the Departments of Environmental Conservation and Transportation to respond quickly to remove any discharges; and by establishing liability for any damages sustained within the State as a result of such discharges.

The Article also creates a fund for clean-up, restoration and compensation for damages caused by oil spills. Before a license to construct a major oil facility can be issued by the Department of Transportation, an applicant must pay the required fee to help maintain the fund and must show that the necessary equipment to prevent, contain and remove petroleum discharges will be provided. The Department will issue licenses for major onshore facilities only after the Department of Environmental Conservation has certified that the applicant has the necessary equipment to control oil discharges.

11. State Pollutant Discharge Elimination System, Environmental Conservation Law (Article 27)

This Article requires permits for construction of new outlets or new disposal systems to discharge industrial and other wastes into State waters, including wastes from nuclear power plants, other steam electric generating

plants, and petroleum facilities. This permit procedure ensures that established water quality standards are met.

12. Air Pollution Control, Environmental Conservation Law (Article 19, Title 3)

This Article gives the Department of Environmental Conservation the authority to promulgate and enforce regulations controlling air emissions, including those released by energy facilities. These regulations appear in the State Implementation Plan which details State strategies for meeting Federal air quality standards under the Clean Air Act.

POLICY 29 Encourage the development of energy resources on the Outer Continental Shelf, in Lake Erie and in other water bodies, and ensure the environmental safety of such activities.

A. Explanation of Policy

The State recognizes the need to develop new indigenous energy sources. It also recognizes that such development may endanger the environment. Among the various energy sources being examined are those which may be found on the Outer Continental Shelf (OCS) or in Lake Erie. The State has been encouraging the wise development of both.

Matters pertaining to the OCS are the responsibility of the Department of Environmental Conservation. In 1977, the Department, in cooperation with regional and local agencies, completed a study which identified potential sites along the marine coast for on-shore OCS facilities. To date, these sites have not been developed for this purpose. The Department, also, actively participates in the OCS planning process by reviewing and voicing the State's concerns about federal OCS oil and gas lease sales and plans. In its review of these proposed sales and plans, the Department considers a number of factors such as the effects upon navigational safety in the established traffic lanes leading into and from New York Harbor; the impacts upon important finfish, shellfish and wildlife populations and their spawning areas; economic and other effects upon commercial and recreational fishing activities; impacts upon public recreational resources and opportunities along the marine coast; the potential for geohazards; impacts upon biological communities; and water quality.

The Department of Environmental Conservation has also examined the potential impacts of Lake Erie gas drilling and is instituting reasonable guidelines so that activities can proceed without damage to public water supplies and other valuable coastal resources. State law prohibits development of wells nearer than one-half mile from the shoreline, two miles from public water supply intakes, and one thousand feet from any other structure or installation in or on Lake Erie. Further, State law prohibits production of liquid hydrocarbons in Lake Erie, either alone or in association with natural gas. The Department has not, however, reached a decision as to whether or not the lands under Lake Erie will be leased for gas exploration purposes.

B. State Means for Implementing the Policy

1. Environmental Conservation Law (Section 23-1101)

The Department of Environmental Conservation may lease the lands beneath Lake Erie according to specific siting, operation, and liability requirements. Thus the State's environmental agency will retain control over the process and ensure appropriate environmental safeguards. The production of liquid hydrocarbons is, however, prohibited by this Article.

2. Environmental Conservation Law (Section 23-0305)

This law provides that the Department of Environmental Conservation will retain jurisdiction over any active or abandoned wells and wellheads and may limit production. The Department may act to terminate hazardous discharges which threaten natural resources. Under this law, producers and handlers must maintain accurate records of quantities of gas handled.

3. Siting of Major Utility Transmission Facilities, Public Service Law (Article VII)

This law establishes procedures to be followed by developers of natural gas in the construction of any gathering pipelines from wellheads and any master collecting pipelines in accordance with the environmental considerations of this Article as discussed under the previous policy.

4. Public Service Law (Article 4, Section 66)

Under this law, the Public Service Commission regulates the safe construction and operation of natural gas pipelines from the wellhead to any onshore connection.

5. Waterfront Revitalization and Coastal Resources Act, Executive Law (Article 42)

See description under Policy 27.

6. State Environmental Quality Review Act, Environmental Conservation Law (Section 8-0113)

See description under Policy 27.

7. Water Resources Law, Environmental Conservation Law (Article 15)

See description under Policy 27.

8. Freshwater Wetlands Act, Environmental Conservation Act (Article 24)

See description under Policy 27.

9. Freshwater Wetlands Act, Environmental Conservation Act (Article 24)

See description under Policy 27.

POLICY 42 Coastal Management policies will be considered if the State reclassifies land areas pursuant to the prevention of significant deterioration regulations of the Federal Clean Air Act.

A. Explanation of Policy

The policies of the State and local coastal management programs concerning proposed land and water uses and the protection and preservation of special management areas will be taken into account prior to any action to change prevention of significant deterioration land classifications in coastal regions or adjacent areas. In addition, the Department of State will provide the Department of Environmental Conservation with recommendations for proposed prevention of significant deterioration land classification designations based upon State and local coastal management programs.

B. State Means for Implementing the Policy

1. Air Pollution Control Act, Environmental Conservation Law (Article 19)

This law provides the Department of Environmental Conservation with the authority to designate areas of the State based upon degree of pollution that may be permitted. It allows the Department to consider that what may be proper for a residential area, for example, may not be proper for a highly developed industrial area.

2. Waterfront Revitalization and Coastal Resources Act, Executive Law (Article 42)

Section 919 of Article 42 requires 1) that State agencies actions, including funding, planning, and land transactions, as well as direct development activities, must be consistent with the policies of this act, 2) that the Secretary of State shall review actions of State agencies that may affect achievement of the policy, and 3) that SEQRA regulations be amended to reflect consideration and impacts on the use and conservation of coastal resources.

Section 2 of the Act requires that State agencies analyze their programs' consistency with coastal policies and that the Secretary of State recommend any needed modifications to the Governor and the Legislature.

POLICY 43 Land use or development in the coastal area must not cause the generation of significant amounts of the acid rain precursors: nitrates and sulfates.

A. Explanation of Policy

The New York Coastal Management Program incorporates the State's policies on acid rain. As such, the Coastal Management Program will assist in the State's efforts to control acid rain. These efforts to control acid rain will enhance the continued viability of coastal fisheries, wildlife, agricultural, scenic and water resources.

B. State Means for Implementing the Policy

1. Air Pollution Control Act, Environmental Conservation Law (Article 19).
2. Waterfront Revitalization and Coastal Resources Act, Executive Law (Article 42).

Section 919 of Article 42 requires 1) that State agencies actions, including funding, planning, and land transactions, as well as direct development activities, must be consistent with the policies of this act, 2) that the Secretary of State shall review actions of State agencies that may affect achievement of the policy, and 3) that SEQOR regulations be amended to reflect consideration of impacts on the use and conservation of coastal resources.

Section 2 of the Act requires that State agencies analyze their programs' consistency with coastal policies and that the Secretary of State recommend any needed modifications to the Governor and the Legislature.

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